9. Either party to this Memorandum may terminate the Arrangements herein contained on giving not less than three months previous notice in writing to the other party.

Signed by order of the Minister of National Insurance this 26th day of March, 1946.

T. W. Phillips,
Secretary of the Ministry of National Insurance.

We consent.

Frank Collindridge,
Joseph Henderson,
Two of the Lords Commissioners of His Majesty's Treasury.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 26th day of March, 1946.

(L.S.)

William Allen,
Assistant Secretary to the Ministry of Labour for Northern Ireland.

The Ministry of Finance for Northern Ireland hereby consents.

Given under the Official Seal of the Ministry of Finance for Northern Ireland this 26th day of March, 1946.

(L.S.)

J. A. McKeown,
Second Secretary to the Ministry of Finance for Northern Ireland.

References

REGULATIONS, DATED 7TH MARCH, 1946, MADE BY THE MINISTRY OF LABOUR UNDER THE FAMILY ALLOWANCES ACT (NORTHERN IRELAND), 1945.

1946. No. 24

The Ministry of Labour, in exercise of the powers conferred on it by the Family Allowances Act (Northern Ireland), 1945, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the Family Allowances (References) Regulations (Northern Ireland), 1946, and shall come into force on the first date on which, by virtue of orders made by the Minister of Labour under subsection (1) of section 26 of the Family Allowances Act (Northern Ireland), 1945, the whole of the provisions of that Act other than section 1 are in force.

(2) In these regulations, unless the context otherwise requires—

" the Act " means the Family Allowances Act (Northern Ireland), 1945 ;

" allowance " means an allowance under the Act ;

" award " means an award or decision of the Ministry in respect of an allowance ;

" claim " means a claim for or in respect of an allowance or allowances ;

" hearing " means oral hearing ;

" the Ministry " means the Ministry of Labour for Northern Ireland ;

" the Umpire " means the Umpire appointed under the Act by the Governor of Northern Ireland ;

" the Registrar " means the Registrar of Appeals appointed by the Ministry.

(3) The Interpretation Act, 1921, applies to the interpretation of these regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Application for the reference of a question.

2.—(1) An application by any person who is dissatisfied by an award for the question to be referred under section 5 of the Act shall be in writing and shall contain a statement of the facts and contentions upon which the applicant relies in support of his application.

(2) The application shall be sent to the Registrar within 28 days after the date of the notice of the award, provided that an application made after the expiry of that period may with the consent of the Umpire be accepted.

(3) The Registrar shall furnish a copy of such application to the Ministry and within 21 days thereafter the Ministry shall send to the Registrar a statement setting out the facts and grounds on which it relies in support of the award.

(4) An application may be withdrawn at any time by sending to the Registrar a notice of withdrawal, and the Registrar shall thereupon send notice thereof to the Ministry.

Reference of a decision for reconsideration.

3.—(1) Where it appears to the Ministry that a decision given by the Umpire with respect to a matter referred on an application under these regulations may properly be reconsidered in accordance with subsection (4) of section 5 of the Act, and the Ministry desires that the decision shall be referred for reconsideration by the Umpire, it shall make application to that effect in writing to the Registrar setting out the facts and considerations which appear to it to justify the reconsideration of the decision.

(2) On receipt of such application the Registrar shall, if the Umpire so directs, send a copy thereof to the applicant with the request that he shall within 21 days submit such observations for the consideration of the Umpire as he may think fit and the Registrar shall cause a copy of such observations to be sent to the Ministry.

Further particulars.

4. The Umpire may at any time require the applicant or the Ministry to furnish him with further particulars in writing and within such time as he may direct with regard to any matter referred to him, and may at any stage of the proceedings allow the amendment of any application for reference, statement or particulars, and extend the time for furnishing any statement or particulars.

Decision without a hearing.

5. If the Umpire is of opinion that the case can properly be determined on the particulars supplied by the applicant and the Ministry without a hearing he may dispense with a hearing and may determine the reference on the particulars so supplied.

Notice of hearing.

6. If in the opinion of the Umpire a hearing is required he shall as soon as may be practicable fix a date and place for the hearing, and the Registrar shall send not less than 7 days' notice thereof to the applicant and to the Ministry and shall at the same time send to each of the parties copies of any statement or further particulars received from the other party.

Procedure at hearing.

7.—(1) The applicant may appear at the hearing in person or by any member of his family or, with the consent of the Umpire by any other representative.

(2) The Ministry may be represented at the hearing.

(3) The Umpire may adjourn the hearing from time to time as he may think fit.

(4) The Umpire may, if he thinks fit, admit any duly authenticated written statement or other material as prima facie evidence of any fact or facts in any case in which he thinks it just and proper so to do.

(5) The Umpire may, if he thinks fit, call for such documents and examine such witnesses as appear to him likely to afford evidence relevant and material to the issue although not tendered by either the applicant or the Ministry.

(6) If, after notice of the hearing has been duly given, either of the parties fails to appear at the hearing, the Umpire may proceed to determine the matter referred notwithstanding the absence of both or either of them, or may give such directions with a view to the determination of the reference as he thinks just and proper.

(7) Save as otherwise expressly provided by these regulations, the procedure at the hearing shall be such as the Umpire may determine,

8. The decision of the Umpire shall be in writing and signed by him, and shall be sent by the Registrar as soon as may be practicable to the applicant and to the Ministry. Notification of decision

9. Any notice or other document to be sent to an applicant for the purpose of these regulations shall be treated as duly sent to him if sent to him by post at his usual or last known place of abode. Notice by post.

10.—(1) The provisions of the Arbitration Act (Northern Ireland), 1937, set out in the Schedule to these regulations, shall, with the necessary modifications, apply in relation to a reference under the Act as if the reference were a reference under an arbitration agreement, the Umpire were a single arbitrator and his decision were an award. Application of provisions of Arbitration Act, (Northern Ireland), 1937.

(2) Save as aforesaid, the provisions of the Arbitration Act (Northern Ireland), 1937, shall not apply to a reference under the Act.

Sealed with the Official Seal of the Ministry of Labour for Northern Ireland this 7th day of March, 1946, in the presence of

(L.S.) *William Allen*,
Assistant Secretary to the Ministry of Labour for Northern Ireland.

SCHEDULE.

Provisions of the Arbitration Act (Northern Ireland), 1937, applied by these Regulations

Section 13. The arbitrators or umpire acting under a reference in an arbitration agreement shall . . . have power to administer oaths to or take the affirmations of the parties and witnesses appearing, and to correct in an award any clerical mistake or error arising from any accidental slip or omission.

Section 14. Any party to a reference under an arbitration agreement may sue out a writ of subpoena *ad testificandum*, or a writ of subpoena *duces tecum*, but no person shall be compelled under any such writ to produce any document which he could not be compelled to produce on the trial of an action :

Provided that no writ shall issue under this section unless the arbitrator has entered on the reference or has been called on to act by notice in writing from a party to the reference and has agreed to do so.

Section 16. An award on a reference under an arbitration agreement may, by leave of the court, be entered as a judgment in terms of the award, and shall thereupon have the same force and effect as a judgment or order of the court.

Section 22 (1). An arbitrator or umpire may, and shall if so ordered by the court, state—

(*a*) any question of law arising in the course of the reference ;

(*b*) . . . .

in the form of a special case for the determination of the court.

(2) A special case . . . with respect to a question of law arising in the course of a reference may be stated, or may be ordered by the court to be stated, notwithstanding that proceedings under the reference are still pending.

Section 23 (1). Any order made under this Act by the court may be made on such terms as to costs or otherwise as the court thinks just.

First Schedule 4. The parties to the reference and all persons claiming through them respectively shall, subject to any legal objection, submit to be examined by the arbitrators or umpire on oath or affirmation in relation to the matters in dispute and shall, subject as aforesaid, produce before the arbitrators or umpire all books, deeds, papers, accounts, writings and documents within their possession or power respectively which may be required or called for, and do all other things which during the proceedings on the reference the arbitrators or umpire may require.

5. The witnesses on the reference shall, if the arbitrators or umpire think fit, be examined on oath or affirmation.

8. The arbitrators or umpire may, if they think fit, make an interim award.

9. The costs of the reference and award shall be in the discretion of the arbitrators or umpire who may direct to, and by whom, and in what manner, those costs, or any part thereof, shall be paid and may tax or settle the amount of costs to be so paid, or any part thereof, and may award costs to be paid as between solicitor and client.

Qualifications

REGULATIONS, DATED 7TH MARCH, 1946, MADE BY THE MINISTRY OF LABOUR IN CONJUNCTION WITH THE MINISTRY OF FINANCE UNDER THE FAMILY ALLOWANCES ACT (NORTHERN IRELAND), 1945.

1946. No. 25

The Ministry of Labour, in exercise of the powers conferred on it by the Family Allowances Act (Northern Ireland), 1945, and of all other powers enabling it in that behalf and in conjunction with the Ministry of Finance, so far as relates to matters with respect to which the Ministry of Finance has so directed, hereby makes the following regulations :—

PART I.

General

Citation, commencement and interpretation.

1.—(1) These regulations may be cited as the Family Allowances (Qualifications) Regulations (Northern Ireland), 1946, and shall come into force on the first date on which, by virtue of orders made by the Minister of Labour under subsection (1) of section 26 of the Family Allowances Act (Northern Ireland), 1945, the whole of the provisions of that Act other than section 1 are in force.

(2) In these regulations, except as hereinafter provided and unless the context otherwise requires—

" the Act " means the Family Allowances Act (Northern Ireland), 1945 ;

" allowance " means an allowance under the Act ;

" family " has the same meaning as in the Act ;

the expressions " a member of the Forces " and " a merchant seaman " have the meanings assigned to them in the Schedule hereto ;

" the Ministry " means the Ministry of Labour for Northern Ireland ;