(*b*) subsequently entered the employment of that or some other authority,

then the employing authority under which he is a contributory employee may determine that the whole or any part of that period shall be taken into account in reckoning his non-contributing service,

Provided that if the employing authority make such a determination, there shall be paid into the superannuation fund by the employing authority such amount as the Committee may determine to be actuarially equivalent to the additional liability incurred by the superannuation fund thereby.".

(3) In regulation 20 proviso (ii), regulation 25(1)(d) proviso (viii) and regulation 49 proviso (a), after the word "authority", where it respectively occurs, there shall be inserted the words "or a welfare authority".

Sealed with the Official Seal of the Ministry of Development for Northern Ireland this 24th day of November 1966.

(L.S.)

W. K. Fitzsimmons,
Minister of Development.

EXPLANATORY NOTE

(*This note is not part of the regulations, but is intended to indicate their general purport.*)

These regulations give medical, dental and nursing staff employed by welfare authorities rights enjoyed by their counterparts in health authority employment; and re-instate a provision for reckoning of service, contained in the Local Government (Superannuation) (Amendment) Regulations (Northern Ireland) 1959 but omitted from the 1962 Regulations.

1966. No. 275 **[C]**

INDUSTRIAL TRIBUNALS

Selective Employment Payments

REGULATIONS, DATED 29TH NOVEMBER 1966, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER SECTION 52 OF THE CONTRACTS OF EMPLOYMENT AND REDUNDANCY PAYMENTS ACT (NORTHERN IRELAND) 1965.

The Ministry of Health and Social Services in exercise of powers conferred by section 52 of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965(a) and of all other powers enabling it in that behalf hereby makes the following Regulations:

(a) 1965. c. 19 (N.I.).

Citation and commencement

1. These Regulations may be cited as the Industrial Tribunals (Selective Employment Payments) Regulations (Northern Ireland) 1966 and shall come into operation on 5th December 1966.

Interpretation

2.—(1) In these Regulations—

"applicant" means a person who in pursuance of Rule 1 has sent an originating application to the Secretary of the Tribunals for a decision of a tribunal;

"the appropriate Ministry" in relation to any proceedings means the Ministry against which a decision of a tribunal is being sought;

"the clerk to the tribunal" means the person appointed by the Secretary of the Tribunals to act in that capacity at one or more hearings;

"hearing" means a sitting of a tribunal duly constituted for the purpose of receiving evidence, hearing addresses and witnesses or doing anything lawfully requisite to enable the tribunal to reach a decision on any reference;

"the Office of the Tribunals" means the Central Office of the Industrial Tribunals;

"the President" means the President of the Industrial Tribunals or the person nominated by the Ministry to discharge for the time being the functions of the President;

"the Register" means the Register of Applications and Decisions kept in pursuance of these Regulations;

"Rule" means a Rule of Procedure contained in the Schedule;

"the Secretary of the Tribunals" means the person for the time being acting as the Secretary of the Central Office of the Industrial Tribunals;

"tribunal" means an industrial tribunal established in pursuance of the Industrial Tribunals Regulations (Northern Ireland) 1965(**a**) and in relation to any proceedings means the tribunal to which the proceedings have been referred.

(2) A form referred to by number means the form so numbered in the Appendix to the Schedule.

Procedure of tribunals

3.—(1) The Rules of Procedure contained in the Schedule shall have effect in relation to proceedings to which this Regulation applies.

(2) This Regulation applies to proceedings by an employer under section 8 of the Selective Employment Payments Act (Northern Ireland) 1966(**b**) for the determination of any question as to—

(*a*) whether any business or part of a business of that employer is an establishment satisfying the requirements of section 1(2)(*a*) and (*b*) or section 2(2)(*a*) and (*b*) of that Act;

(*b*) whether an establishment of that employer should be restored to a register maintained under subsection (1) of the said section 8;

(*c*) the date as from which an establishment of that employer shall be deemed to have been registered under subsection (1) of the said section 8; or

(*d*) the amount, if any, which falls to be paid to that employer under section 1, 2, 3 or 6 of that Act.

(**a**) S.R. & O. (N.I.) 1965, No. 112. (**b**) 1966, c. 32 (N.I.).

Proof of decisions of tribunals

4. The production in any proceedings in any court of a document purporting to be certified by the Secretary of the Tribunals to be a true copy of an entry of a decision in the Register shall, unless the contrary is proved, be sufficient evidence of the document and of the facts stated therein.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 29th day of November 1966.

(L.S.) *L. B. Jagoe,*
Assistant Secretary.

SCHEDULE

Rules of Procedure

Originating application

1. Proceedings for the determination by a tribunal of any question shall be instituted by the applicant sending to the Secretary of the Tribunals an originating application which shall be in accordance with such one of Forms 1 to 5 as is appropriate to the case and shall set out the grounds of the application.

Registering of originating application

2. Upon receiving an originating application the Secretary of the Tribunals shall enter particulars of it in the Register and shall forthwith send a copy of it to the appropriate Ministry and shall inform the applicant and the appropriate Ministry in writing of the case number of the originating application entered in the Register which shall thereafter constitute the title of the proceedings.

Power to require further particulars and attendance of witnesses and to grant discovery

3.—(1) The tribunal may on the application of the appropriate Ministry made either by notice to the Secretary of the Tribunals or at the hearing of the originating application—

(*a*) require the applicant to furnish in writing to the appropriate Ministry and either to the Secretary of the Tribunals or the clerk to the tribunal (as the tribunal shall specify) further particulars of the grounds on which he relies and of any facts and contentions relevant thereto; and

(*b*) grant to the appropriate Ministry such discovery or inspection of documents as might be granted by a county court.

(2) The tribunal may, on the application of the applicant or the appropriate Ministry made either by notice to the Secretary of the Tribunals or at the hearing of the originating application, require the attendance of any person (including the applicant) as a witness or require the production of any document relating to the question to be determined.

(3) On granting an application under this Rule the tribunal may appoint the time at or within which or the place at which any act required in pursuance of this Rule is to be done.

(4) Every document containing a requirement under paragraph (1)(*b*) or paragraph (2) of this Rule shall contain a reference to the fact that under section 52(4) of the Contracts of Employment and Redundancy Payments Act (Northern Ireland) 1965 any person who without reasonable excuse fails to comply with any such requirement is liable on summary conviction to a fine not exceeding £50 or imprisonment for a term not exceeding three months or both.

(5) An applicant on whom a requirement has been made under paragraph (1)(*b*) of this Rule on the *ex parte* application of the appropriate Ministry, and a person

on whom a requirement has been made under paragraph (2) of this Rule, may apply to the tribunal to vary or set aside the requirement. No such application to vary or set aside shall be entertained (in a case where a time has been appointed under paragraph (3) of this Rule in relation to the requirement) unless it is made before the time or, as the case may be, expiration of the time so appointed. Notice of the application in accordance with Rule 10(2) shall be given in the case of a requirement under paragraph (1)(*b*) to the Ministry and in the case of a requirement under paragraph (2) to the party on whose application the requirement was made.

Time and place of hearing

4. The Ministry of Health and Social Services shall fix the date, time and place of the hearing of the originating application and the Secretary of the Tribunals shall not less than 14 days before the date so fixed send to the applicant and the appropriate Ministry a notice in accordance with Form 6.

The hearing

5.—(1) Any hearing of or in connection with an originating application shall take place in private, unless the applicant requests that the hearing shall be in public.

(2) If the applicant or the appropriate Ministry shall desire to submit representations in writing for consideration by the tribunal at the hearing of the originating application that party shall send such representations to the Secretary of the Tribunals not less than 7 days before the hearing and shall at the same time send a copy thereof to the other party.

Representation

6.—(1) The applicant may appear at any hearing of or in connection with his originating application and may be heard in person or be represented by counsel or solicitor or by any other person.

(2) The appropriate Ministry may be represented at any hearing of or in connection with an originating application by any of its officers or by counsel or solicitor.

Procedure at hearing

7.—(1) At the hearing of the originating application the applicant and the appropriate Ministry shall be entitled to make opening statements, to call witnesses, to cross-examine any witnesses called by the other party and to address the tribunal.

(2) The applicant may if he so desires give evidence on his own behalf.

(3) If the applicant or the appropriate Ministry shall fail to appear or to be represented at the time and place fixed for the hearing, the tribunal may dispose of the originating application in the absence of such party or parties or may adjourn the hearing to a later date: Provided that before disposing of an application in the absence of either or both parties the tribunal shall consider any representations submitted by such party or parties in pursuance of Rule 5(2).

(4) The tribunal may require any witnesses to give evidence on oath or affirmation, and for that purpose the chairman may administer an oath or affirmation in due form.

Decision of tribunal

8.—(1) A decision of the tribunal may be taken by a majority thereof and, if in accordance with Regulation 3(1) of the Industrial Tribunals Regulations (Northern Ireland) 1965 the tribunal shall be constituted of two members only, the chairman shall have a second or casting vote.

(2) The decision of the tribunal shall be recorded in a document signed by the chairman which shall contain the reasons for the decision.

(3) The clerk to the tribunal shall transmit the document signed by the chairman to the Secretary of the Tribunals who shall as soon as may be enter it in the Register, and shall send a copy of the entry to the applicant and the appropriate Ministry: Provided that the specification of the reasons for the decision shall be omitted from the Register in any case in which the tribunal on the application of the applicant so directs on the ground that disclosure would be contrary to the interests of the applicant, and in that event a specification of the reasons shall be sent to the applicant and the appropriate Ministry together with the copy of the entry.

(4) The Register shall be kept at the Office of the Tribunals and shall be open to the inspection of any person without charge at all reasonable hours.

(5) The chairman of the tribunal shall have power by certificate under his hand to correct in documents recording the tribunal's decisions clerical mistakes or errors arising therein from any accidental slip or omission.

(6) The clerk to the tribunal shall send a copy of any document so corrected and the certificate of the chairman to the Secretary of the Tribunals who shall thereupon make such correction as may be necessary in the Register and shall send a copy of the corrected entry or of the corrected specification of the reasons, as the case may be, to the applicant and the appropriate Ministry.

Costs

9. The decision of the tribunal may include—

(*a*) an order that the appropriate Ministry shall pay to the applicant or that the applicant shall pay to the appropriate Ministry a specified sum in respect of the costs incurred by the applicant or the appropriate Ministry, as the case may be;

(*b*) an order that the applicant shall pay to the Ministry of Health and Social Services a specified sum in respect of the whole, or any part, of any allowances (other than allowances paid to members of tribunals) paid by the Ministry of Health and Social Services under section 13(3) of the Industrial Training Act (Northern Ireland) 1964(**a**) to any person for the purposes of, or in connection with, his attendance at the tribunal.

Miscellaneous powers of tribunal

10.—(1) The tribunal may, if it thinks fit,—

(*a*) extend the time appointed by these Rules for doing any act notwithstanding (subject to the second sentence in Rule 3(5)) that the time appointed may have expired;

(*b*) postpone the day or time fixed for, or adjourn, the hearing of any originating or other application;

(*c*) if the applicant shall at any time give to the Secretary of the Tribunals and the appropriate Ministry notice of the abandonment of his originating application, dismiss the proceedings;

(*d*) if the applicant and the appropriate Ministry agree in writing upon the terms of a decision to be made by the tribunal, decide accordingly.

(2) Subject to the provisions of these Rules the tribunal may regulate its own procedure and may, if it thinks fit, before granting an application under Rule 3 or 11 require the party making the application to give notice of it to the other party. The notice shall give particulars of the application and indicate the address to which and the time within which any objection to the application shall be made being an address and time specified for the purposes of the application by the tribunal.

(3) Any act (other than the hearing of an originating application) required or authorised by these Rules to be done by the tribunal may be done by, or on the

(a) 1964. c. 18 (N.I.).

direction of, the President, or the chairman of the tribunal.

(4) Rule 9 shall apply to an order dismissing proceedings under paragraph (1)(*c*) of this Rule.

Applications

11.—(1) An application to the tribunal for an extension of the time appointed by these Rules for doing any act may be made by the applicant or the appropriate Ministry either before or (subject to the second sentence in Rule 3(5)) after the expiration of any time so appointed.

(2) The applicant or the appropriate Ministry may at any time apply to the tribunal for directions on any matter arising in connection with the proceedings.

(3) An application under the foregoing provisions of this Rule shall be made by sending to the Secretary of the Tribunals a notice of application, which shall state the title of the proceedings and shall set out the grounds of the application.

(4) The Secretary of the Tribunals shall give notice to the applicant and the appropriate Ministry of any extension of time granted or any directions given in pursuance of this Rule.

Notices, etc.

12.—(1) Any notice required by these Rules shall be in writing and all notices and documents required or authorised by these Rules to be sent or given to any person hereinafter mentioned may be sent by post by means of the recorded delivery service or delivered—

(*a*) in the case of a document directed to the Secretary of the Tribunals, to the Office of the Tribunals;

(*b*) in the case of a document directed to the appropriate Ministry, to the address for service specified in paragraph (3) of this Rule; and

(*c*) in the case of a document directed to the applicant, his address for service specified in the originating application or in a notice under paragraph (2) of this Rule or (if no address for service is so specified) to his last known address or place of business in the United Kingdom or, if the applicant is a corporation, to the corporation's registered or principal office;

and if sent or given to the authorised representative of the applicant or the appropriate Ministry, shall be deemed to have been sent or given to the applicant or the appropriate Ministry, as the case may be.

(2) The applicant or the appropriate Ministry may at any time by notice to the Secretary of the Tribunals and to the other party change his address for service under these Rules.

(3) Unless in relation to any proceedings another address has for the time being been specified in pursuance of paragraph (2) of this Rule, the address for service of the appropriate Ministry shall be—

(*a*) in the case of the Ministry of Health and Social Services, the offices of the Ministry of Health and Social Services, 22 Donegall Street, Belfast, 1;

(*b*) in the case of the Ministry of Agriculture, the offices of the Ministry of Agriculture, Magnet House, 81-93 York Street, Belfast, 15.

APPENDIX

FORM 1

INDUSTRIAL TRIBUNALS (SELECTIVE EMPLOYMENT PAYMENTS) REGULATIONS (NORTHERN IRELAND) 1966

Originating Application for the Determination of a Question whether a Business or part of a Business satisfies the requirements of section 1(2)(a) and (b) of the Selective Employment Payments Act (Northern Ireland) 1966 for Registration by the Ministry of Health and Social Services as an Establishment in respect of which a Premium is payable

To

The Secretary of the Central Office of the Industrial Tribunals,
Ministry of Health and Social Services,
Dundonald House,
Upper Newtownards Road,
BELFAST, 4.

I/We* hereby apply for a decision of a tribunal against the Ministry of Health and Social Services that the undermentioned business or part of a business of mine/ours* is on the following facts an establishment satisfying the requirements of section 1(2)(*a*) and (*b*) of the Selective Employment Payments Act (Northern Ireland) 1966—

1. Name of applicant(s)* .....
   (If an individual his surname)
   Applicant's first names
   (If an individual) .....
   Address of applicant(s)* .....
   Telephone number (if any) .....
2. Address of the premises or parts of premises occupied by the applicant(s)* for the purposes of the business or part of a business which he/they* claim(s)* to be treated as constituting the site of an establishment satisfying the requirements of section 1(2)(*a*) and (*b*) of the Selective Employment Payments Act (Northern Ireland) 1966 .....
3. Is access between all parts of the area comprised in those premises or parts of premises available without leaving premises occupied by the applicant(s)*? .....
4. Is that establishment engaged by way of business wholly or partly in—
   (i) activities falling under any of the minimum list headings shown in Orders III to XVI of the consolidated edition published in 1963 of the Standard Industrial Classification? (If so, give particulars) .....
   (ii) scientific research relating to such activities as aforesaid in which that establishment or an associated establishment‖ is engaged? (If so, give particulars) .....
   (iii) training related as aforesaid? (If so, give particulars) .....

5. How many persons are normally employed for more than 8 hours a week by the applicant(s)* in any employment in, or carried out from, the establishment? .....

6. How many of those persons are so employed—
   (*a*) wholly or mainly in connection with such activities, research or training as are referred to in paragraph 4 above? and .....
   (*b*) wholly or mainly in non-qualifying activities?§ .....

7. On what date was the (*application for registration of the establishment refused by the Ministry) (*establishment removed by the Ministry from the register) and what reason was given? .....

8. Please state the Ministry of Health and Social Services' reference number to this case (if known) .....

9. The grounds of my/our* application are as follows:—

.....

.....

(continue on separate sheet if necessary)

‡All communications with regard to this originating application should be addressed to me/us* at† .....

.....

to my/our* Solicitor(s)/Agent(s)*, Mr./Messrs.* .....

..... at† .....

.....

Dated ..... 19....

Signed .....
Applicant(s)*

*Delete if inapplicable.

†Insert address as applicable.

‡When the originating application is heard by the tribunal the applicant may appear and be heard in person or be represented by counsel or solicitor or by any other person.

§"Non-qualifying activities" means—

(*a*) activities carried on for office purposes within the meaning of section 1(2) of the Office and Shop Premises Act (Northern Ireland) 1966, other than drawing and other than such activities falling under minimum list heading 486 (which relates to printing and publishing) or under minimum list heading 601, 602 or 603 (which relate to gas, electricity and water supply) or under sub-head 1 of minimum list heading 702 (which relates to the operation of omnibus and tramway services) in the Standard Industrial Classification; or

(*b*) activities by way of the carriage of goods by road in connection with a business—
   (i) by the person carrying on that business; or
   (ii) where that person is a company, by an associated company‖; or

(*c*) activities by way of the sale of goods.

Section 1(2) of the Office and Shop Premises Act (Northern Ireland) 1966 defines "office purposes" as including the purposes of administration, clerical work, handling money and telephone and telegraph operating and "clerical work" as including writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication.

For the purposes of the Selective Employment Payments Act (Northern Ireland) 1966—

(*a*) establishments are treated as associated if, and only if, they are establishments of the same employer or of associated companies; and

(*b*) two companies are treated as associated if, and only if, one of them is a subsidiary of the other or both are subsidiaries of a third company.

FORM 2

INDUSTRIAL TRIBUNALS (SELECTIVE EMPLOYMENT PAYMENTS) REGULATIONS (NORTHERN IRELAND) 1966

Originating Application for the Determination of a Question whether a Business or part of a Business satisfies the requirements of section 2(2)(a) and (b) of the Selective Employment Payments Act (Northern Ireland) 1966 for Registration by the Ministry of Health and Social Services as an Establishment in respect of which a Refund is payable

To

The Secretary of the Central Office of the Industrial Tribunals,
Ministry of Health and Social Services,
Dundonald House,
Upper Newtownards Road,
BELFAST, 4.

I/We* hereby apply for a decision of a tribunal against the Ministry of Health and Social Services that the undermentioned business or part of a business of mine/ours* is on the following facts an establishment satisfying the requirements of section 2(2)(*a*) and (*b*) of the Selective Employment Payments Act (Northern Ireland) 1966—

1. Name of applicant(s)* .....
   (If an individual his surname)

   Applicant's first names
   (If an individual) .....

   Address of applicant(s)* .....

   Telephone number (if any) .....

2. Address of the premises or parts of premises occupied by the applicant(s)* for the purposes of the business or part of a business which he/they* claim(s)* to be treated as constituting the site of an establishment satisfying the requirements of section 2(2)(*a*) and (*b*) of the Selective Employment Payments Act (Northern Ireland) 1966 .....

3. Is access between all parts of the area comprised in those premises or parts of premises available without leaving premises occupied by the applicant(s)*? .....

4. Is that establishment engaged by way of business wholly or partly in—

(*a*) activities falling under any of the following minimum list headings in the consolidated edition published in 1963 of the Standard Industrial Classification, namely, heading 003 (which relates to fishing), any heading in Order II (which relates to mining and quarrying), heading 601, 602 or 603 (which relate to gas, electricity and water supply), and any heading in Order XIX (which relates to transport and communication) other than heading 709? (If so, give particulars) .....

(*b*) activities by way of the operation of road transport for the purposes of another establishment which is both an associated establishment‖ and an establishment such as is mentioned either in section 1(2) of the Selective Employment Payments Act (Northern Ireland) 1966 or in section 2(2) of that Act? (If so, give particulars) .....

(*c*) activities, research or training such as are mentioned in section 1(2)(*a*) of that Act, or a combination of such activities, research or training and any activities such as are mentioned in sub-paragraph (*a*) of this paragraph? (If so, give particulars) .....

5. How many persons are normally employed for more than 8 hours a week by the applicant(s)* in any employment in, or carried out from, the establishment? .....

6. How many of those persons are so employed—

(*a*) wholly or mainly in connection with—

(i) such activities as are referred to in paragraph 4(*a*) above? .....

(ii) such activities as are referred to in paragraph 4(*b*) above? .....

(iii) such activities as are referred to in paragraph 4(*c*) above? .....

(*b*) wholly or mainly in non-qualifying activities§ .....

7. On what date was the (*application for registration of the establishment refused by the Ministry) (*establishment removed by the Ministry from the register) and what reason was given? .....

8. Please state the Ministry of Health and Social Services' reference number to this case (if known) .....

9. The grounds of my/our* application are as follows:—

.....

.....

(continue on separate sheet if necessary)

‡All communications with regard to this originating application should be addressed to me/us* at† .....

.....

to my/our* Solicitor(s)/Agent(s)*, Mr./Messrs.* .....

..... at† .....

.....

Dated ..... 19....

Signed .....

Applicant(s)*

*Delete if inapplicable.

†Insert address as applicable.

‡When the originating application is heard by the tribunal the applicant may appear and be heard in person or be represented by counsel or solicitor or by any other person.

§In relation to activities falling under minimum list heading 703 (which relates to road haulage contracting) of the Standard Industrial Classification, "non-qualifying activities" means—

(*a*) activities carried on for office purposes within the meaning of section 1(2) of the Office and Shop Premises Act (Northern Ireland) 1966, other than drawing and other than such activities falling under minimum list heading 486 (which relates to printing and publishing) or under minimum list heading 601, 602 or 603 (which relate to gas, electricity and water supply) or under sub-head 1 of minimum list heading 702 (which relates to the operation of omnibus and tramway services) in the Standard Industrial Classification; or

(*b*) activities by way of the carriage of goods by road in connection with a business—

(i) by the person carrying on that business; or

(ii) where that person is a company, by an associated company‖; or

(*c*) activities by way of the sale of goods.

In relation to all activities such as are mentioned in paragraph 4 above (other than those falling under the said minimum list heading 703) the above definition of "non-qualifying activities" has effect as if paragraph (*b*) of that definition were omitted.

Section 1(2) of the Office and Shop Premises Act (Northern Ireland) 1966 defines "office purposes" as including the purposes of administration, clerical work, handling money and telephone and telegraph operating and "clerical work" as including writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication.

‖For the purposes of the Selective Employment Payments Act (Northern Ireland) 1966—

(*a*) establishments are treated as associated if, and only if, they are establishments of the same employer or of associated companies; and

(*b*) two companies are treated as associated if, and only if, one of them is a subsidiary of the other or both are subsidiaries of a third company.

FORM 3

INDUSTRIAL TRIBUNALS (SELECTIVE EMPLOYMENT PAYMENTS) REGULATIONS (NORTHERN IRELAND) 1966

Originating Application for the Determination of a Question whether a Business or part of a Business satisfies the requirements of section 2(2)(a) and (b) of the Selective Employment Payments Act (Northern Ireland) 1966 for Registration by the Ministry of Agriculture as an Establishment in respect of which a Refund is payable

To

The Secretary of the Central Office of the Industrial Tribunals,
Ministry of Health and Social Services,
Dundonald House,
Upper Newtownards Road,
BELFAST, 4.

I/We* hereby apply for a decision of a tribunal against the Ministry of Agriculture that the undermentioned agricultural/forestry* business or part of an agricultural/a forestry* business of mine/ours* is on the following facts an establishment satisfying the requirements of section 2(2)(*a*) and (*b*) of the Selective Employment Payments Act (Northern Ireland) 1966—

1. Name of applicant(s)* .....
   (If an individual his surname)
   Applicant's first names
   (If an individual) .....
   Address of applicant(s)* .....
   Telephone number (if any) .....
2. Address of the premises or parts of premises occupied by the applicant(s)* for the purposes of the business or part of a business which he/they* claim(s)* to be registered as an establishment eligible for refunds of selective employment tax .....
3. Is that establishment engaged by way of business wholly or partly in activities falling under minimum list heading 001 or 002 in the consolidated edition published in 1963 of the Standard Industrial Classification (which headings are treated for the purposes of the said Act of 1966 as including all activities falling within the definition in section 11(1) of that Act of agriculture§ or, as the case may be, of forestry§)? (If so, give particulars) .....
4. How many persons are normally employed for more than 8 hours a week by the applicant(s)* in any employment in, or carried out from, the establishment? .....
5. How many of those persons are so employed—
   (*a*) wholly or mainly in connection with such activities as are referred to in paragraph 3 above? .....
   (*b*) wholly or mainly in non-qualifying activities? .....

6. On what date was the (*application for registration of the establishment refused by the Ministry of Agriculture) (*establishment removed by the Ministry of Agriculture from the register) and what reason was given? .....

.....

7. Please state the Ministry of Agriculture's reference number to this case (if known) .....

8. The grounds of my/our* application are as follows:—

.....

.....

(continue on separate sheet if necessary)

‡All communications with regard to this originating application should be addressed to me/us* at† .....

.....

to my/our* Solicitor(s)/Agent(s)*, Mr./Messrs.* .....

..... at† .....

.....

Dated ..... 19....

Signed .....

Applicant(s)*

*Delete if inapplicable.

†Insert address as applicable.

‡When the originating application is heard by the tribunal the applicant may appear and be heard in person or be represented by counsel or solicitor or by any other person.

§Section 11(1) of the Act of 1966 defines—

"agriculture" as including any of the following (whether carried out by the owner or occupier of the land concerned or by some other person on a contract basis), namely, horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens or nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes;

"forestry" as including any of the following (whether carried out by the owner or occupier of the land concerned or by some other person on a contract basis), namely—

(*a*) the growing of seedlings and transplants for forestry purposes, the planting and replanting of forests and the preparation of ground therefor, the installation and repair of fences and drains required for forestry purposes, the protection of forests against fire, animal and insect pests, diseases, weeds and trespass;

(*b*) except when carried out by sawmilling establishments, the thinning, felling and bringing to the roadside of timber and the preparation of forest produce in the forest and at the roadside;

(*c*) the construction and maintenance of forest roads, the maintenance and management of forests, and the gathering of uncultivated forest products such as ferns, furze and moss; and

"livestock" as including any creature kept for the production of food, wool, skins or fur, or for the purposes of its use in the farming of land.

‖In the context of this application "non-qualifying activities" means—

(*a*) activities carried on for office purposes within the meaning of section 1(2) of the Office and Shop Premises Act (Northern Ireland) 1966 other than drawing and other than such activities falling under minimum list heading 486 (which relates to printing and publishing) or under minimum list heading 601, 602 or 603 (which relate to gas, electricity and water supply) or under sub-head 1 of minimum list heading 702 (which relates to the operation of omnibus and tramway services) in the Standard Industrial Classification; or

(*b*) activities by way of the sale of goods.

Section 1(2) of the Office and Shop Premises Act (Northern Ireland) 1966 defines "office purposes" as including the purposes of administration, clerical work, handling money and telephone and telegraph operating and "clerical work" as including writing, book-keeping, sorting papers, filing, typing, duplicating, machine calculating, drawing and the editorial preparation of matter for publication.

FORM 4

INDUSTRIAL TRIBUNALS (SELECTIVE EMPLOYMENT PAYMENTS) REGULATIONS (NORTHERN IRELAND) 1966

Originating Application for the Determination of a Question as to the amount, if any, which falls to be paid to an Employer under the Selective Employment Payments Act (Northern Ireland) 1966

To

The Secretary of the Central Office of the Industrial Tribunals,
Ministry of Health and Social Services,
Dundonald House,
Upper Newtownards Road,
BELFAST, 4.

I/We* ..... of .....
..... telephone number .....
hereby apply for a decision of a tribunal as to the amount (if any) payable to me/us* by the (Ministry of Health and Social Services)* (Ministry of Agriculture)* under the Selective Employment Payments Act (Northern Ireland) 1966. The Ministry's reference number to this matter is .....

This application is made in respect of—

persons in employment to which (section 1) (section 2)* (section 3)* of the said Act of 1966 applies, namely, employment in, or carried out from, my/our* establishment at .....

*persons in our employment as a certified charity§.

The grounds of this application are as follows:—

.....
.....

(continue on separate sheet if necessary)

‡All communications with regard to this originating application should be addressed to me/us* at† .....
.....
to my/our* Solicitor(s)/Agent(s)*, Mr./Messrs.* .....
..... at† .....

Dated ..... 19....

Signed .....
Applicant(s)*

*Delete if inapplicable.

†Insert address as applicable.

‡When the originating application is heard by the tribunal the applicant may appear and be heard in person or be represented by counsel or solicitor or by any other person.

§An industrial tribunal has no jurisdiction to decide whether a body is a charity.

FORM 5

INDUSTRIAL TRIBUNALS (SELECTIVE EMPLOYMENT PAYMENTS) REGULATIONS (NORTHERN IRELAND) 1966

Originating Application for the Determination of a Question as to the date from which an Establishment shall be deemed to have been registered under section 8(1) of the Selective Employment Payments Act (Northern Ireland) 1966

To

The Secretary of the Central Office of the Industrial Tribunals,
Ministry of Health and Social Services,
Dundonald House,
Upper Newtownards Road,
BELFAST, 4.

I/We* ..... of .....
..... telephone number .....
hereby apply for a decision of a tribunal against the (Ministry of Health and Social

Services)* (Ministry of Agriculture)* as to the date from which my/our* undermentioned establishment shall be deemed to have been registered under section 8(1) of the Selective Employment Payments Act (Northern Ireland) 1966.

1. Address of establishment .....
2. Ministry's reference number (if known) .....
3. Date as from which the establishment has been registered by the Ministry .....
4. Date as from which this application seeks to have the establishment registered .....

The grounds of this application are as follows:—

.....

.....

(continue on separate sheet if necessary)

‡All communications with regard to this originating application should be addressed to me/us* at† .....
.....
to my/our* Solicitor(s)/Agent(s)*, Mr./Messrs.* .....
..... at† .....

Dated ..... 19....

Signed .....
Applicant(s)*

*Delete if inapplicable.
†Insert address as applicable.
‡When the originating application is heard by the tribunal the applicant may appear and be heard in person or be represented by counsel or solicitor or by any other person.

FORM 6

INDUSTRIAL TRIBUNALS (SELECTIVE EMPLOYMENT PAYMENTS) REGULATIONS (NORTHERN IRELAND) 1966

Notice of Hearing

Case No. .....
Tribunal .....

Central Office of the Industrial Tribunals,
Ministry of Health and Social Services,
Dundonald House,
Upper Newtownards Road,
BELFAST, 4.

NOTICE IS HEREBY GIVEN that the originating application of .....
..... dated .....
will be heard by an Industrial Tribunal at .....
on the ..... day of ..... 19.... at ..... o'clock
in the .....noon, or as soon as may be thereafter.

Unless the applicant receives from me a communication to the contrary, he should in his own interest appear at the hearing with his witnesses (if any) at the above time and place and bring with him all documents on which he intends to rely.

The applicant is entitled to be represented by counsel or solicitor or by any other person.

If for any reason the applicant does not propose, or is unable, to appear at the hearing either in person or by representative, the applicant should *immediately* inform me in writing at the address mentioned at the head of this notice, stating the case number of the proceedings and the reasons for the inability to attend or to be represented.

The applicant and the appropriate Ministry are entitled to submit representations in writing for consideration by the tribunal at the hearing of the originating application. Any such representations must be sent to me at the above address not less than 7 days before the hearing, and a copy must be sent at the same time to the other party. If either or both parties fail to attend the hearing, the tribunal may dispose of the originating application in their absence, but in such case the tribunal will consider any written representations so submitted.

Dated ..... 19....

Signed .....
Secretary.

To the Applicant .....
and
To .....

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations regulate the procedure of the industrial tribunals on references for the determination of questions under the Selective Employment Payments Act (Northern Ireland) 1966.

1966. No. 276 **[C]**

COUNTY COURT RULES

Costs in Appeals in Affiliation and Separation and Maintenance Proceedings

RULES, DATED 28TH NOVEMBER 1966, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 146 OF THE COUNTY COURTS ACT (NORTHERN IRELAND) 1959.

I, the Right Honourable William Craig, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by section 146 of the County Courts Act (Northern Ireland) 1959(a) do hereby, upon the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice, make the Rules hereinafter set forth.

Dated this 28th day of November 1966.

Wm. Craig,
Minister of Home Affairs
for Northern Ireland.

Costs in appeals to the county court from orders made by courts of summary jurisdiction in affiliation, separation and maintenance proceedings

1.—(1) The amount for costs recoverable by a successful party from the other party to an appeal to a county court from an order made by a court

(a) 1959. c. 25.