(2) The valances shall not extend upwards beyond points three-quarters of the way up the vertical diameter of the tank.

Given under my hand at Belfast this 27th day of June, 1933.

R. Dawson Bates,
Minister of Home Affairs for Northern Ireland.

PETTY SESSIONS.

Clerks.

1933. No. 91.

BY THE GOVERNOR OF NORTHERN IRELAND.

ABERCORN.

WHEREAS by virtue of the provisions of the Fines Act (Ireland), 1851, the Petty Sessions (Ireland) Act, 1851, the Petty Sessions Clerk (Ireland) Act, 1858, the Petty Sessions Clerks and Fines (Ireland) Act, 1878, the Petty Sessions Clerks (Ireland) Act, 1881, the Dogs Regulation (Ireland) Acts, 1865 and 1919, the Fine or Imprisonment (Scotland and Ireland) Act, 1899, and the Petty Sessions Clerk (Ireland) Amendment Act, 1907, the Lord Lieutenant was empowered to make Rules for the purpose of carrying into effect certain provisions of the said Acts :

And whereas by virtue of the provisions of the Government of Ireland Act, 1920, and the Free State (Consequential Provisions) Act, 1922, the powers of making and varying such rules are now, in their application to Northern Ireland, vested in the Governor of Northern Ireland :

And whereas by virtue of the provisions of the Petty Sessions Fees and Administration Act (Northern Ireland), 1923, the Governor of Northern Ireland was empowered to make Rules prescribing :—

(*a*) the amounts of the fees payable under the Petty Sessions Clerk (Ireland) Act, 1858, in respect of the forms and proceedings set forth in Schedule (C) of the said Act ; and

(*b*) the amounts of the fees payable upon the certificates of the registry of dog licences under Section 8 and upon certificates of the payment of licence duty under Section 9 of the Dogs Regulation (Ireland) Act, 1865 ; and

(*c*) the procedure in connection with the appointment of Petty Sessions Clerks by the Justices and the qualifications entitling Justices to take part in any such appointment :

And whereas certain rules have been made under the said recited Acts from time to time :

And whereas it is expedient to vary and consolidate the said rules in manner hereinafter appearing :

Now, I, James Albert Edward, Duke of Abercorn, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of St. Patrick, Governor of Northern Ireland, in pursuance of the powers vested in me by the said recited Acts and all other powers me thereunto enabling, do hereby revoke the rules mentioned in the First Schedule hereto and in substitution therefor do by this Order make the following Rules :—

General.

1. These Rules may be cited as The Petty Sessions Clerks' Order, Northern Ireland, 1933.

2. In these Rules the expression " The Ministry " means the Ministry of Home Affairs for Northern Ireland, and the expression " the Bank " means the Belfast Banking Company Limited.

Age Limits and Qualifications for appointment of Petty Sessions Clerks.

3. The limits of age of candidates seeking the appointment of Petty Sessions Clerk in Northern Ireland shall be 25 to 50 years, except in the following cases, that is to say :—

(*a*) In the case of a candidate who is already a Petty Sessions Clerk, or an Assistant of the Clerk of Petty Sessions for the County Borough of Belfast, the limits of age shall be 25 to 57 years.

(*b*) In the case of any candidate who is serving or has served in the Royal Irish Constabulary or the Royal Ulster Constabulary, his service therein having been satisfactory, the limits of age shall be 25 to 57 years.

(*c*) In the case of a female candidate the limits of age shall be 25 to 40 years.

4. The person elected as Clerk by the justices must satisfy the Ministry that he is properly qualified for the office and must be certified medically fit by a registered medical practitioner nominated by the Ministry. On the expiration of six months from his appointment he must also satisfy the Ministry that he has acquired sufficient legal knowledge to enable him to discharge the duties of his office satisfactorily.

5. Every newly elected Clerk shall be appointed on probation for six months, when, if the performance of his duties and his qualifications satisfy the Ministry, his appointment shall be con-

firmed, provided that he shall be deemed to be on probation, and his appointment shall not be confirmed until he has satisfied the Ministry as to his legal knowledge as provided by Rule 4 hereof.

6. A Petty Sessions Clerk shall reside within one and a half miles of the Courthouse of his District, or, if more than one Petty Sessions District is served by the same Clerk, within one and a half miles of the Courthouse at which, in the opinion of the Ministry, the Clerk's duties require his presence most frequently provided that the Ministry may, in special circumstances, vary the provisions of this rule.

7. In the event of a Clerk contemplating a change of residence he shall inform the Ministry before the change is made.

8. A Magistrate shall not be eligible as a candidate in the Petty Sessions District in which he resides, or in which he attends at Petty Sessions.

Occupations in which Petty Sessions Clerks are not permitted to engage.

9. Petty Sessions Clerks are prohibited from engaging in certain specific occupations by Section 35 of the Petty Sessions (Ireland) Act, 1851, and Section 8 of the Petty Sessions Clerk (Ireland) Act, 1858. In addition they must observe the following regulations :—

(*a*) A Petty Sessions Clerk shall not interfere in any proceedings connected with the Registration of voters for Parliamentary or Local Government purposes, except with the object of procuring his own registration as a voter.

A Clerk may act as Presiding Officer, Returning Officer, or Poll Clerk at a Parliamentary or Local Government election at a place outside his district or districts, but otherwise he shall not take part in any such elections except to record his own vote.

(*b*) He shall not serve as a County, Rural or Urban District Councillor, Poor Law Guardian, or member of a Municipal Body.

(*c*) He shall not be concerned or engaged in the business of keeping a house licensed for the sale of intoxicating liquor to be consumed elsewhere than on the premises where sold.

(*d*) He shall not be concerned in editing a newspaper.

(*e*) He shall not hold the office of Secretary of the Game Protection Society.

(*f*) He shall not act as School Attendance Officer.

(*g*) He shall not hold the office of Executive Sanitary Officer,

(*h*) He shall not, without special permission, undertake the agency for any property in his own district or districts.

(*i*) He shall, as far as possible, avoid appearing as prosecutor or witness in any case before any Court in which he is at the time acting as Petty Sessions Clerk.

Election of Clerks of Petty Sessions.

10. When a vacancy occurs in the office of Petty Sessions Clerk serving one District only, or two or more Districts, the Royal Ulster Constabulary authorities shall at once notify the Ministry of the occurrence of the vacancy.

11. The person appointed as Acting Clerk of Petty Sessions by the Justices of the District or Districts, shall furnish to the Ministry a return setting out the names and addresses of the Justices of the County then resident in the District or Districts, the names of all non-resident Justices of the County who have attended the Petty Sessions Court or Courts of the District or Districts in each of the three years immediately preceding the occurrence of the vacancy with the number of times which each of these latter Justices has attended the Petty Sessions Court or Courts during each of these three years. This return of attendance shall be compiled from the Order Book of the Petty Sessions Court, and shall be checked and certified as correct by an officer of the Royal Ulster Constabulary.

12. Rule 11 hereof shall not apply to the election of a Petty Sessions Clerk for the County Borough of Belfast or for the County Borough of Londonderry.

13. The Ministry shall inform the Clerk of the Peace of the County or County Borough in which such District or Districts or the greater part thereof are situate, in which a vacancy has occurred of the existence of the vacancy, and shall furnish him with the names of the Justices of the County or Counties or County Borough who are entitled to vote at the election of a person to fill such vacancy. The Justices entitled to vote at any such election shall be, in the County Boroughs of Belfast and of Londonderry, the Justices of such County Borough respectively and elsewhere :—

(*a*) Justices resident in the District or Districts.

(*b*) Justices who are non-resident, but who are entitled to attend the Petty Sessions Court or Courts of the District or Districts, and whose total attendances during each of the three years immediately preceding the date of the vacancy were not less than one-fourth of the number of Courts held in the District or any one of the Districts, provided that where a Justice has not been in the Commission of the Peace for the entire period of three years mentioned above, but has attended

in like proportion for each of the years or portion of a year during which he has been in the Commission of the Peace, his name shall be included in the list sent to the Clerk of the Peace, and he shall be entitled to vote at such election. If such justice is an ex-officio justice the period for the computation of attendances shall date from the time at which he was qualified to take the Magisterial oaths.

(*c*) Justices who are non-resident, but who are entitled to attend the Petty Sessions Court or Courts, and have attended, but not so often as required by Rule 13 (*b*), when in the opinion of the Governor of Northern Ireland their failure to reach the standard number of attendances was caused by illness, military or naval service, absence on public business, or service as High Sheriff, or other good and sufficient reason.

14. The Ministry shall furnish to the Chairman at the election of the Petty Sessions Clerk a copy of the list of magistrates sent to the Clerk of the Peace as entitled to vote.

15. The Senior Resident Magistrate, if more than one, and, if only one, then such Resident Magistrate present at the election shall be the Chairman. If no Resident Magistrate is present the Justices present and entitled to vote shall choose one of their number to act as Chairman. The Chairman shall have the same right of voting as the other Justices, but shall not have a casting vote.

16. When there are more than two candidates at an election, the candidate having a clear majority of all the votes at the first or any subsequent poll shall be declared duly elected, but if no candidate has such majority at the first or any subsequent poll there shall be a series of polls, the candidate receiving the smallest number of votes being eliminated at each poll until one candidate has a clear majority of all the votes or only two candidates remain between whom the final vote shall be taken. If in any poll there is a tie for the last place between two or more candidates a poll shall then be taken between them to decide which shall be eliminated.

17. The Chairman shall declare the candidate elected who receives at the final poll the majority of votes of the justices present whose names are on the list furnished by the Ministry. In the event of any dispute as to the validity of the election, or in the event of an equality of votes on the final poll, the matter shall be referred to the Ministry for decision.

18. In the event of any justice attending at the election and claiming to vote whose name is not on the list of justices furnished by the Ministry, a note shall be taken of the Candidate for whom he desires to vote, and a report of the matter submitted to the

Governor of Northern Ireland. Where, however, the vote of such Justice, if admissible, would at any stage of the election alter the result of the election, the Chairman shall not declare the result of such election pending the decision of the Governor.

19. The Chairman shall furnish to the Ministry, on the form supplied to him, a complete return of the voting at each poll.

Appointment of Assistants of the Clerk of Petty Sessions for the County Borough of Belfast.

20. The limits of age of persons hereafter to be appointed assistants of the Clerk of Petty Sessions for the County Borough of Belfast shall be from eighteen to thirty years at time of appointment, except where a candidate—

(*a*) Has previously served as a Petty Sessions Clerk, or

(*b*) Has previously served in a clerical capacity in the Police Courts at Belfast, and has been paid as such by the Ministry when the age limit shall be from 18 to 35 years.

21. The Clerk of Petty Sessions for the County Borough of Belfast shall examine all candidates for the post of assistant, and shall furnish a report to the Lord Mayor and Resident Magistrates of the County Borough of Belfast of the qualifications of the candidates for the post, such qualifications to include proficiency as a Shorthand writer. The Lord Mayor and Resident Magistrates aforesaid, after consideration of such report, shall appoint the candidate whom they consider best qualified for the post. The appointment, however, shall be subject to the approval of the Ministry and to the approved candidate being certified medically fit by a registered medical practitioner nominated by the Ministry.

22. Every newly-appointed Assistant shall be appointed on probation for six months, and on the expiration of said period, provided he has performed his duties to the satisfaction of the Resident Magistrates and the Clerk of Petty Sessions for the County Borough of Belfast, his appointment shall be confirmed by the Ministry.

23. No alteration in the number of Assistants shall be made without the prior sanction of the Ministry.

24. An Assistant who has previously served as a Petty Sessions Clerk may, subject to the approval of the Ministry, be permitted to count his service as Petty Sessions Clerk towards pension. Every three years' service as Petty Sessions Clerk shall be allowed to count for increment as one year's service as Assistant. A Petty Sessions Clerk who has previously served as an Assistant may be permitted, subject to the approval of the Ministry, to reckon his previous service as Assistant towards pension only. This paragraph shall apply to Clerks and Assistants already in office, provided the Assistant or Clerk is not already in receipt of a

pension for previous service under the Crown. In the event of a person who has previously served in a clerical capacity in the Police Courts at Belfast being appointed as Assistant, every three years of such previous service shall count as one year's service for pension as Assistant. An Assistant of the Clerk of Petty Sessions for the County Borough of Belfast, who is paid by the Ministry, and who previously held office as Clerk of Petty Sessions, and any other Assistant of the Clerk of Petty Sessions for the County Borough of Belfast who is paid by the Ministry, and who has at least 5 years' approved service, shall be eligible for appointment to the office of Clerk of Petty Sessions for the County Borough of Belfast up to 60 years of age.

25. In case any charge of neglect, incompetence or misconduct is made against any Assistant of the Clerk of Petty Sessions for the County Borough of Belfast, it shall be lawful for the Ministry to make an Order suspending such Assistant from his office, and the Lord Mayor and Resident Magistrates of the County Borough of Belfast may appoint some other person to act as Assistant for the time being.

Sub-sections 1 and 2 of Section 8 of The Petty Sessions Clerk (Ireland) Act, 1858, and any Acts amending same, shall apply to the Assistants of the Clerk of Petty Sessions for the County Borough of Belfast.

26. On a vacancy occurring in the office of Chief Assistant of the Clerk of Petty Sessions for the County Borough of Belfast, it shall be lawful to appoint a person direct to that office under Rules 20, 21 and 22 hereof, or for the Lord Mayor and Resident Magistrates of the County Borough of Belfast to select one of the Assistants for the office, in which case such selection shall be subject to the approval of the Ministry.

27. No Assistant shall be granted an increase of salary unless he shall have performed his duties to the satisfaction of the Resident Magistrates and the Clerk of Petty Sessions for the County Borough of Belfast, and the promotion of any Assistant shall be subject to the approval of the Ministry.

28. Rule 38 hereof relating to gratuity, pension, or retirement of Petty Sessions Clerks on account of age or infirmity shall, so far as applicable, govern like matters in the case of Assistants of the Clerk of Petty Sessions for the County Borough of Belfast.

Salaries.

29. The scale of salary for Clerks of Petty Sessions in the County Boroughs of Belfast and of Londonderry, and for any Assistants of the Clerk of Petty Sessions of the County Borough of Belfast shall be fixed at such amounts as may be approved from time to time by the Governor of Northern Ireland.

30. The scale of salary for Clerks of Petty Sessions in Districts other than the County Boroughs of Belfast and of Londonderry shall be fixed on the occurrence of a vacancy by the addition of :—

(1) A sum equal to 60 per cent. of the average annual amount received for fees in the District during the three years ending the 31st December immediately preceding the vacancy, increased as follows :—
   (*a*) Where 60 per cent. of the average annual amount is £50 or under by six shillings in the pound ;
   (*b*) Where 60 per cent. of the average annual amount is over £50 by a sum of £15, together with an additional shilling for each pound in excess of £50, not exceeding a maximum of £20 :

(2) A sum calculated on the average annual amount received for Dog Licence Stamps in the District during the three years ended the 31st December immediately preceding the vacancy determined as follows :—
   (*a*) Where the average annual amount of Dog Licence Stamps is £100 or under, a poundage of three shillings and sixpence ;
   (*b*) Where the average is over £100 and not more than £300, a sum of £17 10s. 0d., together with one shilling for each pound in excess of £100 ;
   (*c*) Where the average is over £300, a poundage of one shilling and ten pence on the total amount.

(3) Provided that where a salary calculated in accordance with this Rule contains a fractional part of one pound such fractional part shall, if it equals or exceeds ten shillings, be treated as one pound and shall in all other cases be ignored.

31. When the salary including increments of a Clerk of Petty Sessions of any district is less than the salary which would under Rule 30 hereof be payable in the case of a new appointment, and where the duties of such Clerk of Petty Sessions have been discharged to the entire satisfaction of the Ministry, such salary may be increased from such dates as the Ministry may think fit to an amount not exceeding the sum which would under these Rules be payable in the case of a new appointment, provided that no such increase shall take place until the Clerk of Petty Sessions has served for at least five years either from the date of his original appointment, or, if his salary has previously been increased under this paragraph, from the date of such previous increase.

32. When any Clerk of Petty Sessions of any district shall have discharged his duties satisfactorily, the Ministry may, having regard to the condition of the Fines and Fees Fund, grant an increment to such Clerk, at the intervals shown below and subject to such conditions as the Ministry may attach, reckoned as follows :—

After 5 years' service ..	7½ per cent. of the salary as fixed on appointment.	
Annually in respect of each of the next following 5 years ..	1½ per cent.	of the salary as fixed on appointment or in respect of any year subsequent to a revision of salary under Rule 31 hereof of the salary as so revised.
Annually in respect of of each of the subsequent 30 years ..	1 per cent..	

Provided that in reckoning the increment, fractions of a shilling shall be ignored and provided further that increments granted under this Rule shall take effect from the first day of January in the year in which the qualifying period of satisfactory service is completed, if it is so completed on or before the thirtieth day of June, and from the first day of January in the year following the year in which the qualifying period of satisfactory service is completed in all other cases.

33. On the occurrence of a vacancy in any Petty Sessions District the allowance payable under Section 10 of the Petty Sessions Clerk (Ireland) Act, 1858, commonly called the Stationery Allowance, shall be fixed in the manner in this Rule provided and shall remain fixed until the next vacancy or until the salary shall have been revised under Rule 31 hereof, when it shall be revised and fixed in like manner, namely, at the rate of 3/– for every pound of the average annual amount received for fees in the district during the three years ending on the 31st December in the year immediately preceding the occurrence of the vacancy or the revision of the salary as the case may be so that, however, if the allowance so fixed contains a fractional part of a shilling, such fractional part shall, if it is equal to or greater than sixpence, be treated as a shilling and shall in every other case be ignored.

Provided that nothing in this Rule shall extend to prevent the Ministry from paying in any case where it shall think fit an allowance equal to the actual and necessary expenses of any Clerk in respect of the items mentioned in Section 10 of the said Act or any of them, and in any case where the Ministry shall pay such substituted allowance the calculated allowance prescribed in this Rule shall not apply.

34. In respect of Dog Licences issued during quarter ended 31st March in each year in the several districts an allowance of 10/– for the first hundred licences issued, or any part thereof, and an additional one shilling for each completed ten licences issued after the first hundred may be paid to Clerks of Petty Sessions to recoup them for expenses incurred in connection with the annual issue of Dog Licences.

35. The word " district " in Rules 30 to 34 hereof shall include any two or more districts served by one and the same person as Clerk under an Order made in pursuance of the Petty Sessions Clerk (Ireland) Act, 1858, or the Petty Sessions Fees and Administration Act (Northern Ireland), 1923.

Bonus on Salary.

36. There shall be paid to the Clerk of Petty Sessions for the County Borough of Belfast and to his Assistants whose whole time has been devoted to the duties of these offices such bonus and at such rates as is paid to persons serving in an established capacity in the permanent Civil Service of the State.

There shall be paid to the other Petty Sessions Clerks and Acting Petty Sessions Clerks such bonus as may be approved by the Governor of Northern Ireland from time to time.

Payment of Salary.

37. All salaries and allowances shall be paid to Clerks of Petty Sessions quarterly or at such other periods as may be determined by the Ministry.

Gratuities and Pensions.

38. Where a Petty Sessions Clerk ceases to hold office, and the provisions of Section 12 of the Petty Sessions Clerk (Ireland) Act, 1858, are complied with, he may be granted a gratuity or pension not exceeding the following amounts :—

If he has served less than ten completed years a gratuity calculated at the rate of one-tenth of three years' fees in respect of each completed and satisfactory year's service ; the said three years' fees being the fees received by him as Petty Sessions Clerk in the period of three calendar years immediately preceding his demission of office.

If he has served ten or more completed years, a pension of one-sixtieth of his salary for each completed and satisfactory year's service ; provided that the total pension shall not in any case exceed two-thirds of his salary.

In determining the amount of gratuity or pension regard shall be had to the character of the service rendered by the Clerk while holding office. The full retiring allowance, according to the above scale, will only be awarded when such service has been entirely satisfactory to the Ministry. Such amounts of gratuity or pension may be increased, in respect of bonus payable to Petty Sessions Clerks in the following manner :—In respect of the Clerk of Petty Sessions for the County Borough of Belfast and of his Assistants, the bonus payable to these officers shall reckon for superannuation in accordance with such regulations as may be laid down from time to time in respect of persons serving in an established capacity in the permanent Civil Service of the State, and in respect of other Clerks of Petty Sessions the bonus granted shall reckon for superannuation purposes as though it were part of the salary.

Fees.

39. The amounts of the fees payable under the Petty Sessions Clerk (Ireland) Act, 1858, in respect of the forms and proceedings set forth in Schedule (C) to the said Act ; and the amounts of the fees payable upon certificates of the registry of dog licences under section eight and upon certificates of the payment of licence duty under section nine of the Dogs Regulation (Ireland) Act, 1865, shall be the amounts specified in the Second Schedule hereto.

Stamp Duties payable under the provisions of the Petty Sessions Clerk (Ireland) Act, 1858, *and the Dogs Regulation (Ireland) Acts,* 1865 *and* 1919.

40. The Stamp Duties payable under the provisions of the Petty Sessions Clerk (Ireland) Act, 1858, shall be denoted by the use of Adhesive Stamps struck from dies prepared by the Commissioners of Inland Revenue bearing on the face thereof the words " Northern Ireland Petty Sessions," and the requisite amount of Stamp Duty shall, in each case, be denoted by affixing to the document as many such stamps as will together amount to and denote the sum set opposite to such document in the Second Schedule to these Rules. The shilling Petty Sessions Stamp used on the certificate on Dog Licences under Section 8 of The Dogs Regulation (Ireland) Act, 1865, shall be overprinted with the words " For Dog Licences."

41. Whenever any Clerk of Petty Sessions, in the performance of his duty, shall affix one or more Petty Sessions Stamps to any of the documents enumerated in the Schedule of the Petty Sessions Clerk (Ireland) Act, 1858, it shall be his duty to cancel such Stamp or Stamps, by writing his name, and the date, conspicuously across it or them ; and any Clerk who shall issue any such document without having previously cancelled the Stamp or Stamps thereon in manner aforesaid, shall be liable to dismissal, in addition to any proceedings that may be instituted against him under the 18th Section of said Act.

42. Whenever any magistrate signs or countersigns any of the documents enumerated in the Schedule to the said Act, he shall, in case the Petty Sessions Clerk has not already done so, cancel the Stamp or Stamps on such document, by writing his name, and the date, conspicuously across it or them.

Stamps spoiled or improperly or unnecessarily used.

43. An allowance shall be made for spoiled Stamps or for Stamps that have been improperly or unnecessarily used, only when they are actually produced.

44. When practicable, such spoiled or improperly or unnecessarily used Stamps shall be transmitted to the Ministry ; in other cases they shall be produced to the Justices in Petty Sessions.

45. In all cases the Clerk, Constabulary Officer, or Stamp Distributor, shall forward a certificate signed by the Chairman of the Justices at Petty Sessions, that he is satisfied as to the accuracy of the statement that the Stamps have been, through inadvertence, improperly or unnecessarily used.

46. Where the spoiled or improperly or unnecessarily used Stamps are produced to the Justices in Petty Sessions, the Chairman shall also certify that they were so produced, and that he has marked them "cancelled."

Fine or Imprisonment (Scotland and Ireland) Act, 1899.

47. In any case where, under Section 1 of the Fine or Imprisonment (Scotland and Ireland) Act, 1899, a sum has been received from the Governor of a Prison by a Clerk of Petty Sessions in part satisfaction of a sum due from a prisoner in consequence of the conviction of a Court to which he is Clerk, he shall apply such sum—

Firstly.—Towards the payment in full or in part of any costs or damages or compensation which the Court may have ordered to be paid to the prosecutor;

Secondly.—Towards the payment of the fine or penalty, if any, imposed on the prisoner, and

Lastly.—Towards the payment of any sums other than those above-mentioned, which the prisoner is ordered to pay by the conviction.

Directions to Clerks as to Accounts and Returns.

48. Returns of Fines and other Penal Sums, Returns of Petty Sessions Stamps and Returns of Dog Licence Stamps are to be furnished to the Ministry for each of the Quarters ending 31st March, 30th June, 30th September, and 31st December, respectively, in each year within the month immediately following the expiry of each of the said Quarters, except in the cases of the County Boroughs of Belfast and of Londonderry, when the Fines Returns should be rendered within the second month following the expiry of the said Quarters.

49. Where a Clerk resigns or is removed from office, it shall be his duty, within ten days of such resignation or removal, to furnish to the Ministry Returns as above, and to lodge in the Bank all moneys due up to the date of his resignation or removal from office.

50. The Clerks' Accounts of Fines or other Penal sums imposed, and of Recognizances estreated during the Quarter, shall be comprised in the Forms A1, A2 and Summary No. 1.

51. The Form A1 is an account of *all* Fines and other Penal Sums, including compensation and costs imposed during the Quarter (no matter to whom payable), and of Recognizances

ordered to be estreated for the Quarter, and of all moneys received, or proceedings taken in respect thereof up to the time of rendering the Account.

52. The statement of Fines, etc., imposed contained in Form A1 shall be compared by the District Inspector of the Royal Ulster Constabulary of the District in which the Petty Sessions is situated with the entries in the Order Book signed by the Justices and shall be certified by him to correspond therewith. The Petty Sessions Clerk shall inform the District Inspector that Form A1 is ready for comparison within a week of the close of each Quarter and be in readiness with the Order Book and the statement on Form A1 at the time fixed by the District Inspector.

53. If any cases remain not fully accounted for at the time of rendering the Quarterly Account, such cases shall be subsequently accounted for in Form A2 when the whole or any portions of the penalties are recovered.

54. The Form A2 is an Account of all moneys received and other proceedings taken in respect of cases in which Fines or other Penal Sums have been imposed and of Recognizances ordered to be estreated prior to the Quarter in respect of which the Account is rendered.

55. The totals of the columns of Forms A1 and A2 shall be transferred to Summary No. 1. The accounts shall be submitted in order, Summary No. 1 being placed on top. Vouchers for payment of Fines or portions of Fines, compensation and costs (where costs exceed the ordinary costs of Court) must accompany the Returns to which they refer.

56. Clerks of Petty Sessions must on demand give receipts on the forms provided for the purpose by the Ministry, for all sums paid to them.

57. All moneys received by Petty Sessions Clerks for Fines and other Penal Sums payable to the Crown, forfeited Recognizances and for Petty Sessions Stamps, shall be lodged in the Bank to the credit of the "Ministry of Home Affairs, Northern Ireland, Fines and Fees Account," and all moneys received for Dog Licence Stamps shall be lodged in the Bank to the credit of the "Ministry of Home Affairs, Northern Ireland, Dogs Act Account." The Petty Sessions Stamps used under the Dogs Regulation Acts shall be accounted for in the same manner as other Petty Sessions Stamps. All moneys due on these Accounts shall be lodged in the Bank from time to time and at such times as the Ministry may direct, and a notification of every such lodgment shall be sent to the Ministry on forms provided for the purpose.

58. The cost of lodgment of moneys in respect of Fines and Fees and the expenses of remittance of Fines and Costs to or by the Clerk of Petty Sessions, except those of remittance to local authorities, may be deducted from such lodgments and credit may be taken therefor in the Account Summary No. 1.

59. The portions of Fines imposed at Petty Sessions due to members of the Royal Ulster Constabulary shall be lodged with the Crown Fines and entered in the column marked "Unclaimed" of the Fines Returns A1 and A2 as the case may require.

60. Any Fines or portions of Fines or Costs received by the Clerk of Petty Sessions which, owing to their not being claimed, or for other sufficient cause, cannot at the proper time be paid to the person or persons entitled to receive them, should be lodged to the credit of the "Ministry of Home Affairs, Northern Ireland, Fines and Fees Account," and entered in the column marked "Unclaimed" of Forms A1 or A2 as the case may require.

61. The authority must be furnished with the Return A1 or A2 when a Fine is reduced or remitted by the Governor of Northern Ireland, and the certificate of the Clerk of the Crown and Peace must be furnished when, on appeal, the Fine is varied at Quarter Sessions.

62. In any quarter in which no Fines or other Penal Sums are imposed or Recognizances estreated, a "Nil" Form A1, duly verified, shall be furnished, and if no moneys have, in any Quarter, been received in respect of Fines or other Penal Sums or of Recognizances estreated, a "Nil" Summary No. 1, duly attested, shall also be furnished.

63. The Petty Sessions Clerk's Account of Petty Sessions Stamps is to be rendered on Form X, and his Account of Dog Licence Stamps on Form K, and in the latter Account credit may be taken by him for cost of lodgments and postages incurred in respect of Dog Licences.

64. The Summary No. 1 and the Accounts on Forms X and K must be verified by the Clerk of Petty Sessions by declaration before a Magistrate in the form at the foot of each Return.

65. The Clerk of Petty Sessions shall, within one month after the close of each Quarter, furnish to the District Inspector of the Royal Ulster Constabulary, within whose district his Court is situate, a Return in the Form B showing particulars of Warrants issued from that Court for the enforcement of Fines and other Penal Sums imposed and Recognizances estreated during the Quarter in respect of which no moneys have been received by him up to the date of rendering the Return, and also of Warrants issued during the Quarter for the enforcement of Fines and other Penal Sums imposed and Recognizances estreated since the rendering of the last previous Return in respect of which no moneys have been so received. If no Warrant has been so issued, a "Nil" Return in the Form B must be furnished.

66. In all cases where a Warrant shall have issued for the levy by distress alone of any sum, whether of a penal or civil nature, and after the issue of such warrant the amount thereof

shall have been tendered to the Clerk who shall have received the same, and given his receipt therefor, it shall be the duty of the Clerk, promptly in writing under his hand, to notify the fact of such payment to the Officer of Constabulary to whom the warrant was directed, and also to the officer in charge of the nearest Constabulary Station.

67. A copy of the list referred to in Section 11 of the Dogs Regulation (Ireland) Act, 1865, shall be furnished by each Clerk to the Ministry.

68. It shall be the duty of Petty Sessions Clerks to facilitate as far as possible District Inspectors of the Royal Ulster Constabulary in carrying out the duties imposed on District Inspectors by these Regulations.

Directions to High Court and County Court Officers as to Accounts and Returns.

69. The under-mentioned officers, viz :—

(*a*) The Registrar and Clerk of the Crown and Peace for the Superior Courts ;

(*b*) The Clerk of the Crown and Peace for Assizes and Quarter Sessions ;

shall prepare and transmit to the Ministry every half-year, ending respectively on the 30th June and 31st December, Returns of all Fines and other Penal Sums imposed and of Recognizances ordered to be estreated at the several Courts above-mentioned, on the Forms Nos. 1, A1, A2 and B, to be supplied by the said Ministry.

Form A1 (Current Account) shall contain a list of all the Fines (including Fines upon Jurors) or other Penal Sums imposed, and Recognizances ordered to be estreated within the half-year ; and Form A2 (Arrear Account) shall contain a list of all Fines imposed, and Recognizances ordered to be estreated prior to the commencement of such half-year, which were not fully accounted for in any previous Return.

Form B should contain a list of all Warrants issued to the Constabulary for the enforcement of Fines and Estreated Recognizances, and shall be furnished with the other Forms to the Ministry.

Form No. 1 shall contain a Summary of A1 and A2, and show any payments made to parties, and the amount of Crown Fines lodged in the Bank. Form No. 1 shall also contain a Declaration as to the accuracy of the Return, pursuant to Section 6 (2) of The Fines Act (Ireland), 1851.

70. All moneys received by the officers mentioned in Rule 69 hereof in respect of Fines or other Penal Sums imposed, payable to the Crown, and in respect of Recognizances ordered to be estreated, should be lodged to the credit of the " Ministry of Home Affairs, Northern Ireland, Fines and Fees Account " in the Bank.

In case no Fines, etc., are imposed in any half-year a "Nil" Return shall be furnished.

71. The Accounts in the bank entitled the "Ministry of Home Affairs, Northern Ireland, Fines and Fees Account," and the "Ministry of Home Affairs, Northern Ireland, Dogs Act Account," shall be operated on by such officers as may, from time to time, be authorised by the Ministry and notified to the Bank.

Directions to District Inspectors of the Royal Ulster Constabulary as to Accounts and Returns.

72. The statement of the Fines and other Penal Sums imposed each Quarter in a Petty Sessions District prepared by the Clerk of Petty Sessions of the District, as contained in Form A1, shall be compared by the District Inspector of the District with the Order Book, signed by the Justices, and shall be certified by him to correspond therewith, the District Inspector taking special care to see that all Fines and other Penal Sums, with the amount of compensation (if any) and costs, contained in the Order Book, whether paid or not, with full particulars as to the portions thereof awarded to parties, and the names of such parties, are correctly entered in the Form A1.

73. The certificate at the foot of Form A1 shall be completed. The comparison required may be made at any time after the expiration of the Quarter referred to in the Form A1.

It shall be the duty of the Clerk of Petty Sessions, within a week after the close of each Quarter, to communicate with the District Inspector of the District, acquainting him with the time limit for the transmission of the Account to the Ministry, and ascertain from him on what day, within such limit, it will be convenient for him to attend for the purpose ; and it will also be the Clerk's duty to be in readiness at such time with the Order Book and the statement on Form A1.

74. District Inspectors of Constabulary are required to make periodical Returns to the Ministry on Form B of the proceedings taken in reference to all warrants for the levy of Fines, or other Penal Sums, placed in the hands of the Constabulary for execution. Upon this Form it is the duty of each Clerk of Petty Sessions, in the part allotted for his use, to enter all cases in which warrants have issued from each Court within the period for which the Return is required, and in respect of which no money has reached him, and to forward same to the District Inspector of the District, who, having filled in the Form, with a statement of the proceedings taken in each case up to the seventh day of the third month following the end of the Quarter in respect of which the Return was made by the Clerk of Petty Sessions, shall on that day transmit same by post direct to the Ministry.

75. Cases in which warrants have remained over unexecuted or not finally accounted for from former Returns, shall be entered by the District Inspector upon the back of the Form B, and any proceedings taken or money received on account thereof shall be shown thereon.

76. Each District Inspector in whose District one or more Petty Sessions Courts are held, shall furnish to the County Inspector, on or before the 20th January, 20th April, 20th July, and 20th October, in each year, a Return on a printed Form supplied by the Ministry, showing (1) the number of dogs licensed, and (2) the number of prosecutions under the Dogs Regulation (Ireland) Acts in each Petty Sessions District during the previous Quarter (ending 31st December, 31st March, 30th June, and 30th September, as the case may be). This Return is to be prepared from an accurate examination of the Registry of Dogs' Licence Book and the Petty Sessions Order Book. District Inspectors shall initial and date the Dogs' Registry Book at each examination.

77. The County Inspector shall, on receipt of these Returns, carefully examine and check them, and having done so, shall, on or before the 25th day of the month in which they are received, transmit them, together with a Consolidated County Return (on the printed Form furnished by the Ministry) to the Ministry.

Given at Belfast this tenth day of August, 1933.

By His Grace's Command.

(Signed), *R. Dawson Bates.*

FIRST SCHEDULE.

Orders Revoked.

1. Order of the Lord Lieutenant, dated 31st December, 1919, relating to the payment of bonus on the Salaries of Clerks of Petty Sessions and to the reckoning of superannuation on such bonus.

2. Order of the Lord Lieutenant, dated 9th March, 1920, relating to the payment of bonus on the Salaries to the Clerks of Petty Sessions for the County Borough of Belfast and of his assistants and to the reckoning of superannuation on such bonus.

3. Order of the Lord Justices and General Governors of Ireland, dated 19th November, 1921, making Rules for the prupose of carrying into effect the provisions of the following Acts :—

The Fines Act (Ireland), 1851 ; the Petty Sessions (Ireland) Act, 1851 ; the Petty Sessions Clerk (Ireland) Act, 1858 ; the Petty Sessions Clerks and Fines (Ireland) Act, 1878 ; the Petty Sessions Clerks (Ireland) Act, 1881 ; the Dogs Regulation (Ireland) Acts, 1865 and 1919 ; the Fine or Imprisonment (Scotland and Ireland) Act, 1899 ; and the Petty Sessions Clerk (Ireland) Amendment Act, 1907.

4. Order of the Lords Justices of Northern Ireland, dated 15th June, 1923, prescribing the amounts of the fees payable under the Petty Sessions Clerk (Ireland) Act, 1858, in respect of the forms and proceedings set forth in Schedule (C) to the said Act, and the amounts of the fees payable upon certificates of the

registry of dog licences under Section 8 and upon certificates of the payment of licence duty under Section 9 of the Dogs Regulation (Ireland) Act, 1865. (S.R. & O. Northern Ireland, 1923, No. 73).

5. Order of the Lords Justices of Northern Ireland, dated 22nd November, 1923, governing the procedure in connection with the appointment of Petty Sessions Clerks.

6. Order of the Lords Justices of Northern Ireland, dated 22nd November, 1923, respecting the qualifications, salaries, appointment, and removal of Assistants of the Clerk of Petty Sessions for the County Borough of Belfast.

7. The Petty Sessions Clerks' Salaries Order (Northern Ireland), 1928. (S.R. & O. N.I., 1928. No. 83.)

8. Order of the Governor of Northern Ireland, dated 10th March, 1930, amending the Order of 22nd November, 1922, respecting the qualifications, salaries, appointment and removal of Assistants of the Clerk of Petty Sessions for the County Borough of Belfast.

9. Order of the Governor of Northern Ireland, dated 25th March, 1933, relating to the limits of age of candidates seeking the appointment of Petty Sessions Clerk.

SECOND SCHEDULE.

Fees.

	s.	d.
On every summons and copy	1	0
On every information or deposition	2	0
(The recognizance to bind the deponent to prosecute or give evidence may be added at foot without any further stamp duty).		
On every solemn declaration (not being a declaration as to loss of pawnbrokers' duplicates, or as to the admission of paupers into workhouses)	2	0
On every copy of any written information or complaint in summary proceedings	1	0
On every warrant	1	0
On every recognizance, when not at foot of an information or deposition	2	0
On the entry of each Order	1	0
On every Certificate of Order	2	0
On every appeal, including the recognizance to prosecute	4	0
On every notice of appeal to be served on the respondent	2	0
On every other notice in proceedings by or before justices when such notice is drawn by the Petty Sessions Clerk	1	0
On every form other than the aforesaid upon which any fee is now payable by law to the clerks of petty sessions, any sum not exceeding	5	0
Certificate or registry of dog licence under Section 8 of the Dogs Regulation (Ireland) Act, 1865	1	0
Certificate of payment of licence duty under Section 9 of the Dogs Regulation (Ireland) Act, 1865	1	0

POTATOES, MARKETING OF.

Rules.

THE MARKETING OF POTATOES RULES (NORTHERN IRELAND), 1933, DATED 1ST DAY OF FEBRUARY, 1933.

1933. No. 18.

The Ministry of Agriculture by virtue and in exercise of the powers for this purpose vested in it by the Marketing of Potatoes Act (Northern Ireland), 1928, and of every other power in that behalf enabling it, hereby makes the Rules following, that is to say :—