Given under the Official Seal of the National Health Insurance Joint Committee this 31st day of December, nineteen hundred and thirty-eight.

(L.S.) KENNETH CURTIS,
Deputy Secretary to the National Health Insurance Joint Committee.

Given under the Official Seal of the Ministry of Labour for Northern Ireland this 31st day of December, nineteen hundred and thirty-eight.

(L.S.) W. A. B. ILIFF,
Assistant Secretary to the Ministry of Labour for Northern Ireland.

COUNTY COURTS.

Rules:
Revaluation (Consequential Provisions), p. 62.
Sale of Ice Cream, p. 68.

Rules: Revaluation (Consequential Provisions).

THE REVALUATION (CONSEQUENTIAL PROVISIONS) ACT (NORTHERN IRELAND), 1936, COUNTY COURT RULES, 1938. DATED THE 14TH DAY OF JULY, 1938.

1938. No. 96.

WHEREAS by an Act, 40 and 41 Vict., C. 56, intituled "The County Officers and Courts (Ireland) Act, 1877," Section 79, it is enacted that the Lord Chancellor, with the concurrence of the County Court Judges and Chairmen of Quarter Sessions in Ireland, or any five of them, to be selected or nominated as in the said Act is provided, may make rules and orders for regulating the proceedings in and practice of the Civil Bill Courts in Ireland and for prescribing the forms of proceedings, and for the several other purposes in the said Act mentioned, and otherwise for carrying the said Act into execution, and may from time to time amend such rules, orders and forms, and that every such rule, order and form certified under the hands of the Lord Chancellor and any five of such Judges and Chairmen, shall take effect from and after such day as shall be therein named:

And whereas by Section 83 of the said Act, it is provided that the Lord Chancellor, with the concurrence of the Chairmen or any five of them to be selected or nominated as in the said Act provided, and with the consent of the Treasury, may by order fix the fees to be taken in the Civil Bill Courts in respect of any business under that or any other Acts in force for the time being in such Courts, and may, with the like concurrence and consent, alter, reduce, or

increase the same from time to time, and may also, with the like concurrence and consent, alter the fees and stamp duties taken in those Courts and substitute other fees for the same :

And whereas under and in pursuance of the provisions of the Government of Ireland Act, 1920, and the Orders made by His Majesty in Council thereunder, the references in the said section to the Lord Chancellor shall be construed as references to the Lord Chief Justice of Northern Ireland, and the references to the Treasury shall be construed as references to the Ministry of Finance for Northern Ireland :

And whereas by the County Officers and Courts Act (Northern Ireland), 1925, Section 10, the concurrence required in connection with the making by the Lord Chief Justice of Northern Ireland of rules or orders under section seventy-nine or section eighty-three of the County Officers and Courts (Ireland) Act, 1877, shall be the concurrence of the Chairmen within the meaning of the said Act, or any two of them to be nominated by the said Lord Chief Justice :

And whereas the Lord Chief Justice of Northern Ireland duly nominated His Honour HERBERT MARSHALL THOMPSON, Recorder of Belfast and County Court Judge and Chairman of Antrim, and His Honour ARTHUR HENRY BATES, County Court Judge and Chairman of the County of Down, as the Chairmen with whose concurrence such rules and orders may be made in pursuance of the provisions of the said Act :

And whereas by an Act 26, Geo. V., and 1 Edw. VIII., C. 11, intituled "The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936," Section 13 (3), it is enacted that where a lessor or lessee is aggrieved by a decision of the Commissioner of Valuation under Section 13, sub-section 2 (*a*), of the said Act, he may appeal to the County Court having jurisdiction where the land concerned is situate, and that rules of court regulating the procedure and costs of such appeal may be made by the authority having power to make rules and orders for regulating the practice of the County Courts.

NOW I, THE RIGHT HONOURABLE JAMES ANDREWS, Lord Chief Justice of Northern Ireland, with the concurrence of the said Judges as testified by their signatures hereto, in pursuance of the powers given by the said recited Acts, and of all other powers thereunto us enabling, do hereby make and certify the rules and forms hereinafter set forth as rules and forms to be used and be in force in proceedings in the County Courts under The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936, and with the consent of the Ministry of Finance, do hereby fix the fees set out in Schedule II hereto, as the fees to be taken in the Civil Bill Courts in Northern Ireland under the said Act.

Dated this 14th day of July, 1938.

(Signed) JAMES ANDREWS,
Lord Chief Justice.
HERBERT M. THOMPSON,
Recorder of Belfast and County Court Judge and Chairman of Antrim.
A. H. BATES,
County Court Judge and Chairman of Down.

The Scale of Fees in Schedule II, Part 2, has been fixed with the consent of the Ministry of Finance for Northern Ireland.

IN WITNESS whereof the Official Seal of the Ministry has been affixed hereto this 21st day of July, 1938, in the presence of—

(L.S.) (Signed) G. C. DUGGAN,
Assistant Secretary, Ministry of Finance.

THE REVALUATION (CONSEQUENTIAL PROVISIONS) ACT (NORTHERN IRELAND), 1936, COUNTY COURT RULES, 1938.

Dated the 14th day of July, 1938.

1.—(*a*) The following rules shall have effect under The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936, in these rules referred to as " the Act " with reference to any matter under Section 13 of the Act coming before the County Court.

(*b*) These rules may be cited as the Revaluation (Consequential Provisions) Rules (Northern Ireland), 1938, and shall come into operation on the 1st day of August, 1938.

(*c*) Expressions used in these rules shall have the same meaning as the same expresions used in the Act.

(*d*) The Interpretation Act, 1889, and the Interpretation Act (Northern Ireland), 1921, shall apply for the purpose of the interpretation of these rules as they apply for the purpose of the interpretation of an Act of Parliament.

(*e*) These rules shall also be read and construed with the County Courts (Ireland) Orders, 1890, and the County Court Rules of subsequent date amending the same and, save as otherwise provided herein, the rules of interpretation applicable to such rules shall apply also to these rules, and the provisions of such rules shall apply to all proceedings under the Act.

2.—(*a*) At any time within twenty-one days after the determination by the Commissioner of Valuation under Section 13 of the Act of the sum at which the valuation mentioned in the Covenant shall be fixed, the lessor or lessee, if aggrieved by the Commissioner's decision and desiring to appeal therefrom, shall send or deliver to the other party to the lease a notice in writing signed by him, the said person aggrieved, or by his solicitor or known agent, of his intention to appeal to the next Sittings of the County Court for the Division of the County or for the County of a City or County of a Town in which the lands the subject matter of the lease or any part thereof are situate and stating the grounds of the appeal; but in case the next Sittings of the County Court as aforesaid shall commence within forty days after the determination by the Commissioner of Valuation as aforesaid, the appeal shall be made to the next succeeding Sittings of the County Court. The said person (hereinafter called the appellant) shall within seven days after service of the said notice of intention to appeal on the other party to the lease (hereinafter called the respondent) serve upon the Commissioner of Valuation and the Clerk of the Crown and Peace for the said County true copies of the said notice, with the services thereof upon the respondent endorsed thereon, and, in the case of the copy to be served upon the Clerk of the Crown and Peace, stamped with the fees set out in Schedule II, Part 2, hereto, and accompanied by a copy of the Certificate of the Commissioner's decision against which appeal is being made.

(*b*) The Notice of Appeal shall be in the form shown in Form 1 in Schedule I to these rules.

3.—The County Court Judge may, with or without any application in that behalf, inspect the lands or premises to which the appeal relates in any case in which he thinks that such an inspection is necessary, or may appoint any person to inspect the same and report to the Judge accordingly, and the expenses thereof shall be paid by such of the parties as the Court shall direct.

4.—The Judge shall make such order as to costs and witnesses' expenses as he shall think fit, and he may measure such costs and expenses, or direct them to be taxed according to Schedule II, Part 1, hereto, provided that in all cases where, having regard to the work actually done, or the peculiar difficulty or importance of the case, the allowance for costs and witnesses' expenses shall appear inadequate, the Judge may make a special order allowing such additional costs and expenses as he may think just and reasonable.

5.—The order shall be in writing in the form shown in Form 2 in Schedule I hereto, and a certified copy of such order shall be forwarded by the Clerk of the Crown and Peace to the Commissioner of Valuation.

SCHEDULE I.

FORM 1.

NOTICE OF APPEAL.

County of
Division of Townland of
In the Matter of an Appeal under The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936, Section 13
and
In the Matter of a Lease dated day of
and made between
and

and containing a covenant as to Building.

Leasehold Register.

A B of in the County of ,
Appellant;

C D of in the County of .
Respondent.

TAKE NOTICE that A B, being aggrieved by the decision of the Commissioner of Valuation in this matter, dated the day of , 19 , by which the rateable valuation in said covenant is fixed at £ (or by so much of the decision of the Commissioner of Valuation in this matter as fixes, etc.), intends to appeal to the County Court Judge at the Court to be held at , in the County of , on the day of , 19 .

Dated this day of , 19 .

Signed A B
or X Y (Solicitor for A B),
Address of Solicitor

To The Clerk of the Crown and Peace for the County of
And to The Commissioner of Valuation.
And to C D (or Solicitors for C D).

FORM 2.

ORDER.

In the County of
Division of Townland of
In the Matter of an Appeal under The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936, Section 13
and
In the Matter of a Lease dated day of
and made between
and

and containing a covenant as to Building.

Leasehold Register

A B of in the County of ,
Appellant;

C D of in the County of ,
Respondent.

WHEREAS by the decision of the Commissioner of Valuation under Section 13 of The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936, the sum of £ was fixed as the rateable valuation for the covenant in said Lease.

AND WHEREAS the Appellant duly appealed against the said decision to this Court.

AND THE COURT having examined into the appeal DOTH ORDER that the said rateable valuation be (varied) or (affirmed) and fixed at £

AND THE COURT DOTH FURTHER ORDER that the do recover against the sum of £ costs and witnesses' expenses (or as may be).

AND the several Under Sheriffs in Northern Ireland, etc.

Dated the day of , 19

(Seal of County Court)

.....
Clerk of the Crown and Peace.

.....
Solicitor for

SCHEDULE II.

Part 1.

Schedule of Costs Payable

Solicitor	...	For taking instructions for appeal or opposing appeal, advising thereon, taking instructions for hearing, advising proofs and attending and instructing Counsel when employed	£1	10	0
Solicitor	...	Drawing notice of appeal and copy for services	0	15	0
Solicitor	...	Service of notice of appeal	0	2	0
Solicitor	...	Entering appeal, attending the hearing for appellant or respondent, with or without Counsel, and for all other charges save brief for Counsel up to the Order and taking out same ...	3	0	0
Solicitor	...	Brief for Counsel, 6d. per folio, but not to exceed £1 10s. 0d.			
		Minimum	0	15	0
Counsel	...	Fee on hearing	3	3	0
Respondent	...	Fee payable to respondent if the appeal be withdrawn by notice served on him not less than ten days before the first day of the Sessions ...	1	10	0

Part 2.

Court Fees (Payable in County Court Stamps).

Appeals under Sections 29 and 31—			
On lodging appeal	£0	5	0
On Final Order	0	5	0
Certificate of Clerk of Crown and Peace for Valuation Office	0	2	0
Certificate of Ruling	0	2	0