Dated the 28th day of November 1955.

MacDermott,
Lord Chief Justice.

Arthur Black,
Lord Justice of Appeal.

Henry A. Maginess,
President of the Incorporated Law Society of Northern Ireland.

SUMMARY JURISDICTION

Pawnbrokers' Rules, p. 507 | *Petty Sessions Districts and Times, p.* 512

Pawnbrokers' Rules

RULES MADE BY THE SUMMARY JURISDICTION RULES COMMITTEE UNDER SECTION 2 OF THE SUMMARY JURISDICTION ACT (NORTHERN IRELAND), 1953, WITH THE APPROVAL OF THE LORD CHIEF JUSTICE.

1955. No. 97 **[C]**

We, the undersigned members of the Summary Jurisdiction Rules Committee appointed by the Minister of Home Affairs under sub-section (2) of section 1 of the Summary Jurisdiction Act (Northern Ireland), 1953, by virtue of the powers vested in us by section 2 of the said Act, do hereby make the Rules hereinafter set forth as summary jurisdiction rules in regard to applications under sections 7 and 9 of the Pawnbrokers Act (Northern Ireland), 1954, to be in force in the courts of summary jurisdiction in Northern Ireland, and, in pursuance of the provisions of sub-section (1) of section 3 of the said Summary Jurisdiction Act (Northern Ireland), 1953, do hereby certify the same under our hands and do submit them to the Lord Chief Justice of Northern Ireland.

T. A. Blair.
G. Courtney.
E. Malachy Doris.
J. C. Hogg.
J. V. S. Mills.
James J. Napier.
J. Ritchie Wilson.

I approve of these Rules which shall come into force on the 1st day of July 1955.

Dated the 1st day of June 1955.

MacDermott,
Lord Chief Justice of Northern Ireland.

The scale of Court Fees provided for in the Second Schedule has been fixed with consent of the Ministry of Finance.

In witness whereof the Official Seal of the Ministry has been affixed hereto this 24th day of May 1955 in the presence of

(L.S.)

D. C. B. Holden,
Assistant Secretary.

Citation

1. These rules may be cited as the Summary Jurisdiction (Pawnbrokers) Rules (Northern Ireland), 1955.

Notice of intention to apply

2. A person who intends to apply to a court of summary jurisdiction for a certificate under section 7 (1) of the Pawnbrokers Act (Northern Ireland), 1954, authorising the issue of a licence to him to carry on business as a pawnbroker, shall serve a notice of such intention, which may be in the Form No. 1 in the First Schedule to these rules, upon the district inspector of the Royal Ulster Constabulary for the police district wherein are situate the premises at which the business of a pawnbroker is intended to be carried on, and shall lodge a copy of such notice with the clerk of petty sessions for the petty sessions district wherein such premises are situate.

Appearance by applicant

3. The applicant may appear in person, or by solicitor or counsel, upon the hearing of the application.

Notice of intention to oppose

4. If the district inspector upon whom a notice of intention to apply for a certificate has been served, or a head constable acting for him, intends to oppose the grant of the certificate, he shall serve upon the applicant, at least seven days before the hearing, a notice of his intention so to oppose, which may be in the Form No. 2 in the First Schedule to these rules, and shall also lodge with the clerk of petty sessions a copy of such notice.

Appearance by objector

5. The said district inspector, or another district inspector or a head constable acting for him, may appear on the hearing and make representations and produce evidence in support of his objection.

Form of certificate

6. The certificate to be granted by the court shall be in the Form No. 3 in the First Schedule to these rules.

Notice of application for suspension of licence

7. An officer, head constable or sergeant of the Royal Ulster Constabulary who intends to apply to a court of summary jurisdiction for an order under section 9 (2) of the Pawnbrokers Act (Northern Ireland), 1954, for the suspension of a pawnbroker's licence, shall serve a notice of such intention, which may be in the Form No. 4 in the First Schedule to these rules, upon the pawnbroker to whom the application relates, and shall lodge a copy of such notice with the clerk of petty sessions for the petty sessions district wherein such premises are situate. If the court of summary jurisdiction makes an order under section 9 (2) of the Pawnbrokers Act (Northern Ireland), 1954, suspending the licence of a pawnbroker, it shall be the duty of the clerk of petty sessions of the court which made the order to inform the Ministry of Finance of the terms of the order.

Time of hearing

8. Applications under rules 2 and 7 shall be heard at a sitting of the court which shall be held on a day not less than fourteen days after the service and lodgment of the notice. In a petty sessions district where sittings of the court are held on more than one day in a week the application shall be heard on such day, not less than fourteen days after the service and lodgment of the notice, as may be fixed by the clerk of petty sessions.

Fees

9. The fees in the Second Schedule to these rules shall be payable by the applicant in respect of each application for a certificate and shall be payable by adhesive stamps.

FIRST SCHEDULE

FORM No. 1

NOTICE OF INTENTION TO APPLY FOR A PAWNBROKER'S CERTIFICATE

Petty Sessions District of

County of

Take notice that I intend to apply to the Court of Summary Jurisdiction sitting at on the day of 19 at the hour of a.m., for a certificate authorising the issue to me of a pawnbroker's licence.

The premises at which I propose to carry on the business of a pawnbroker are situate at

I am not an auctioneer or a publican.

Dated this day of 19

.....
Applicant.

Address.....

To the District Inspector
of the Royal Ulster Constabulary
at

and to the Clerk of Petty Sessions
for the above District.

FORM. No. 2

NOTICE OF OBJECTION TO THE GRANT OF A PAWNBROKER'S CERTIFICATE

Petty Sessions District of

County of

In the matter of the application of
for a certificate authorising the issue to him of a pawnbroker's licence in respect of premises at

Take notice that upon the hearing of this application I intend to object to the grant of the certificate upon the following grounds:—

Dated this day of 19

District Inspector of the Royal
Ulster Constabulary.

To the applicant

and to the Clerk of Petty Sessions
for above District.

FORM No. 3

Petty Sessions District of

County of

CERTIFICATE AUTHORISING THE ISSUE OF A PAWNBROKER'S LICENCE

PAWNBROKERS ACT (NORTHERN IRELAND), 1954.
(1954. Ch. 30)

At the Court of Summary Jurisdiction for the above-named petty sessions district and county on the day of 19 .

I, being a Resident Magistrate, do hereby certify that I do authorise the issue to
of
of a pawnbroker's licence in respect of premises at

Resident Magistrate.

FORM No. 4

Petty Sessions District of

County of

NOTICE OF INTENTION TO APPLY FOR AN ORDER TO SUSPEND A PAWNBROKER'S LICENCE

Take notice that I intend to apply to the Court of Summary Jurisdiction sitting at on the day of 19 , at the hour of a.m., for an order under section 9 (2) of the Pawnbrokers Act (Northern Ireland), 1954, suspending for such period as the court may think fit the pawnbroker's licence in respect of the premises at

The application will be made on the following grounds:—

Dated this day of 19

of the Royal Ulster Constabulary.

To

and to the Clerk of Petty Sessions
for above District.

SECOND SCHEDULE

Fees payable upon an application

	s.	d.
On the entry of every application	1	0
On every form of certificate	2	6