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STATUTORY RULES OF NORTHERN IRELAND

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**1980 No. 346**

**SUPREME COURT, NORTHERN  
IRELANDPROCEDURE**

The Rules of the Supreme Court  
(Northern Ireland) (Revision) 1980

*Made - - - - 1st October 1980*

*To be laid before Parliament*

*Coming into operation 1st January 1981*

**THE RULES OF THE SUPREME COURT  
(NORTHERN IRELAND) (REVISION) 1980**

1. The Rules set out in Schedule 1 hereto are hereby...
2. (1) The Rules and Orders specified in Part I of...
3. The provisions specified in column 1 of Schedule 3 hereto...
4. As respects proceedings commenced before 1st January 1981, the times...
5. These rules may be cited as the Rules of the...  
Signature

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SCHEDULE **The Rules of the Supreme Court (Northern Ireland) 1980**  
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***PRELIMINARY***

ORDER 1 — CITATION, APPLICATION, INTERPRETATION AND FORMS :  
BUSINESS OF THE SUPREME COURT

PART I

CITATION, APPLICATION, INTERPRETATION AND FORMS

1. Citation  
Citation

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2. Application  
Application
3. Definitions  
Definitions
4. Construction of references to Order, Rules, etc.  
Construction of references to Order, Rules, etc.
5. Construction of references to action, etc. for possession of land  
Construction of references to action, etc. for possession of land
6. Construction of references to Lord Chief Justice  
Construction of references to Lord Chief Justice
7. Construction of certain references to the Treasury  
Construction of certain references to the Treasury
8. Forms  
Forms
9. Rules not to exclude conduct of business by post  
Rules not to exclude conduct of business by post

## PART II

### BUSINESS OF THE SUPREME COURT

#### A. DISTRIBUTION AMONGST DIVISIONS OF THE SUPREME COURT

10. Assignment to Chancery Division
11. Assignment to Queen's Bench Division
12. Assignment to Family Division

#### B. ASSIGNMENT OF BUSINESS TO DEPARTMENTS

13. Central Office
14. Chancery Office
15. Bankruptcy and Companies Office
16. Probate and Matrimonial Office
17. Office of Care and Protection
18. Taxing Office

#### ORDER 2 — EFFECT OF NON-COMPLIANCE

1. Non-compliance with Rules  
Non-compliance with Rules
2. Application to set aside for irregularity  
Application to set aside for irregularity

#### ORDER 3 — TIME

1. “Month” means calendar month  
“Month” means calendar month
2. Reckoning periods of time  
Reckoning periods of time
3. Long Vacation excluded from time for service, etc. of pleadings  
Long Vacation excluded from time for service, etc. of pleadings
4. Expiration of time when office closed  
Expiration of time when office closed
5. Extension, etc. of time  
Extension, etc. of time
6. Notice of intention to proceed after year's delay

Notice of intention to proceed after year's delay

**COMMENCEMENT AND PROGRESS OF PROCEEDINGS**

**ORDER 4 — TRANSFER AND CONSOLIDATION OF PROCEEDINGS**

1. Transfer between Divisions  
Transfer between Divisions
2. Transfer of certain pending matters to Chancery Division
3. Transfers to and hearings before another Judge
4. When parties must be heard before transfer
5. Consolidation of actions  
Consolidation of actions

**ORDER 5 — MODE OF BEGINNING CIVIL PROCEEDINGS IN HIGH COURT**

1. Mode of beginning civil proceedings  
Mode of beginning civil proceedings
2. Proceedings which must be begun by writ  
Proceedings which must be begun by writ
3. Proceedings which must be begun by originating summons  
Proceedings which must be begun by originating summons
4. Proceedings which may be begun by writ or originating summons  
Proceedings which may be begun by writ or originating summons
5. Proceedings to be begun by motion or petition  
Proceedings to be begun by motion or petition
6. Right to sue in person  
Right to sue in person

**ORDER 6 — WRITS OF SUMMONS : GENERAL PROVISIONS**

1. Form of writ  
Form of writ
2. Indorsement of claim  
Indorsement of claim
3. Indorsement as to capacity  
Indorsement as to capacity
4. Indorsement as to solicitor and address  
Indorsement as to solicitor and address
5. Concurrent writ  
Concurrent writ
6. Issue of writ  
Issue of writ
7. Duration and renewal of writ  
Duration and renewal of writ

**ORDER 7 — ORIGINATING SUMMONSES : GENERAL PROVISIONS**

1. Application  
Application
2. Form of summons, etc.  
Form of summons, etc.
3. Contents of summons  
Contents of summons
4. Concurrent summons  
Concurrent summons
5. Issue of summons  
Issue of summons
6. Duration and renewal of summons

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Duration and renewal of summons

7. Ex parte originating summons  
Ex parte originating summons

ORDER 8 — ORIGINATING AND OTHER MOTIONS : GENERAL PROVISIONS

1. Application  
Application
2. Notice of motion  
Notice of motion
3. Form and issue of notice of motion  
Form and issue of notice of motion
4. Service of notice of motion with writ, etc.  
Service of notice of motion with writ, etc.
5. Adjournment of hearing  
Adjournment of hearing

ORDER 9 — PETITIONS : GENERAL PROVISIONS

1. Application  
Application
2. Contents of petition  
Contents of petition
3. Presentation of petition  
Presentation of petition
4. Time of service of petition  
Time of service of petition
5. Certain applications not to be made by petition  
Certain applications not to be made by petition

ORDER 10 — SERVICE OF ORIGINATING PROCESS : GENERAL PROVISIONS

1. General provisions
2. Service of writ on agent of oversea principal  
Service of writ on agent of oversea principal
3. Service of writ in pursuance of contract  
Service of writ in pursuance of contract
4. Service of writ in actions for possession of land  
Service of writ in actions for possession of land
5. Service of originating summons, petition and notice of motion  
Service of originating summons, petition and notice of motion

ORDER 11 — SERVICE OF PROCESS, ETC., OUT OF THE JURISDICTION

1. Principal cases in which service of writ out of jurisdiction is permissible  
Principal cases in which service of writ out of jurisdiction is permissible
2. Service out of jurisdiction in certain actions of contract  
Service out of jurisdiction in certain actions of contract
3. Leave for service of notice of writ  
Leave for service of notice of writ
4. Application for, and grant of, leave to serve writ out of jurisdiction  
Application for, and grant of, leave to serve writ out of jurisdiction
5. Service of writ or notice of writ abroad: general  
Service of writ or notice of writ abroad: general
6. Service of notice of writ abroad through foreign governments, judicial authorities and British consuls

- Service of notice of writ abroad through foreign governments, judicial authorities and British consuls
  - 7. Service of notice of writ in certain actions under certain Acts
  - Service of notice of writ in certain actions under certain Acts
  - 8. Undertaking to pay expenses of service by Secretary of State
  - Undertaking to pay expenses of service by Secretary of State
  - 9. Service of originating summons, petition, notice of motion, etc.
  - Service of originating summons, petition, notice of motion, etc.
- ORDER 12 — ENTRY OF APPEARANCE TO WRIT OR ORIGINATING SUMMONS
- 1. Mode of entering appearance
  - Mode of entering appearance
  - 2. Place for entering appearance
  - Place for entering appearance
  - 3. Memorandum of appearance
  - Memorandum of appearance
  - 4. Procedure on receipt of requisite documents
  - Procedure on receipt of requisite documents
  - 5. Time limited for appearing
  - Time limited for appearing
  - 6. Late appearance
  - Late appearance
  - 7. Conditional appearance
  - Conditional appearance
  - 8. Application to set aside writ, etc.
  - Application to set aside writ, etc.
  - 9. Appearance to originating summons
  - Appearance to originating summons
- ORDER 13 — DEFAULT OF APPEARANCE TO WRIT
- 1. Claim for liquidated demand
  - Claim for liquidated demand
  - 2. Claim for unliquidated damages
  - Claim for unliquidated damages
  - 3. Claim for detention of goods
  - Claim for detention of goods
  - 4. Claim for possession of land
  - Claim for possession of land
  - 5. Mixed claims
  - Mixed claims
  - 6. Other claims
  - Other claims
  - 7. Proof of service of writ
  - Proof of service of writ
  - 8. Setting aside judgment
  - Setting aside judgment
- ORDER 14 — SUMMARY JUDGMENT
- 1. Application by plaintiff for summary judgment
  - Application by plaintiff for summary judgment
  - 2. Manner in which application under rule 1 must be made
  - Manner in which application under rule 1 must be made
  - 3. Judgment for plaintiff
  - Judgment for plaintiff
  - 4. Leave to defend

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- Leave to defend
- 5. Application for summary judgment on counterclaim  
Application for summary judgment on counterclaim
- 6. Directions  
Directions
- 7. Costs  
Costs
- 8. Right to proceed with residue of action or counterclaim  
Right to proceed with residue of action or counterclaim
- 9. Judgment for delivery up of chattel  
Judgment for delivery up of chattel
- 10. Relief against forfeiture  
Relief against forfeiture
- 11. Setting aside judgment  
Setting aside judgment

ORDER 15 — CAUSES OF ACTION, COUNTERCLAIMS AND PARTIES

- 1. Joinder of causes of action  
Joinder of causes of action
- 2. Counterclaim against plaintiff  
Counterclaim against plaintiff
- 3. Counterclaim against additional parties  
Counterclaim against additional parties
- 4. Joinder of parties  
Joinder of parties
- 5. Court may order separate trials, etc.  
Court may order separate trials, etc.
- 6. Misjoinder and nonjoinder of parties  
Misjoinder and nonjoinder of parties
- 7. Change of parties by reason of death, etc.  
Change of parties by reason of death, etc.
- 8. Provisions consequential on making of order under rule 6 or 7  
Provisions consequential on making of order under rule 6 or 7
- 9. Failure to proceed after death of party  
Failure to proceed after death of party
- 10. Actions for possession of land  
Actions for possession of land
- 11. Relator actions  
Relator actions
- 12. Representative proceedings  
Representative proceedings
- 13. Representation of interested persons who cannot be ascertained, etc.  
Representation of interested persons who cannot be ascertained, etc.
- 14. Representation of beneficiaries by trustees, etc.  
Representation of beneficiaries by trustees, etc.
- 15. Representation of deceased person interested in proceedings  
Representation of deceased person interested in proceedings
- 16. Proceedings against estates  
Proceedings against estates
- 17. Actions for wrongful interference with goods  
Actions for wrongful interference with goods
- 18. Conduct of proceedings  
Conduct of proceedings

ORDER 16 — THIRD PARTY AND SIMILAR PROCEEDINGS

1. Third party notice  
Third party notice
2. Application for leave to issue third party notice  
Application for leave to issue third party notice
3. Issue and service of, and entry of appearance to, third party notice  
Issue and service of, and entry of appearance to, third party notice
4. Third party directions  
Third party directions
5. Default of third party; etc.  
Default of third party; etc.
6. Setting aside third party proceedings  
Setting aside third party proceedings
7. Judgment between defendant and third party  
Judgment between defendant and third party
8. Claims and issues between a defendant and some other party  
Claims and issues between a defendant and some other party
9. Claims by third and subsequent parties  
Claims by third and subsequent parties
10. Offer of contribution  
Offer of contribution
11. Disposal of claim for contribution or indemnity
12. Counterclaim by defendant  
Counterclaim by defendant

#### ORDER 17 — INTERPLEADER

1. Entitlement to relief by way of interpleader  
Entitlement to relief by way of interpleader
2. Mode of application  
Mode of application
3. Powers of Court hearing summons  
Powers of Court hearing summons
4. Power to stay proceedings  
Power to stay proceedings
5. Other powers  
Other powers
6. One order in several causes or matters  
One order in several causes or matters
7. Discovery  
Discovery
8. Trial of interpleader issue  
Trial of interpleader issue

#### ORDER 18 — PLEADINGS

1. Service of statement of claim  
Service of statement of claim
2. Service of defence  
Service of defence
3. Service of reply and defence to counterclaim  
Service of reply and defence to counterclaim
4. Pleadings subsequent to reply  
Pleadings subsequent to reply
5. Service of pleadings in the Long Vacation
6. Pleadings: formal requirements  
Pleadings: formal requirements
7. Facts, not evidence, to be pleaded

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8. Facts, not evidence, to be pleaded
8. Matters which must be specifically pleaded
9. Matters which must be specifically pleaded
9. Matters may be pleaded whenever arising
10. Matters may be pleaded whenever arising
10. Departure
11. Departure
11. Points of law may be pleaded
12. Points of law may be pleaded
12. Particulars of pleading
13. Particulars of pleading
13. Admissions and denials
14. Admissions and denials
14. Denial by joinder of issue
15. Denial by joinder of issue
15. Statement of claim
16. Statement of claim
16. Defence of tender
17. Defence of tender
17. Defence of set-off
18. Defence of set-off
18. Counterclaim and defence to counterclaim
19. Counterclaim and defence to counterclaim
19. Striking out pleadings and indorsements
20. Striking out pleadings and indorsements
20. Close of pleadings
21. Close of pleadings
21. Trial without pleadings
22. Trial without pleadings
22. Saving for defence under Merchant Shipping Acts
23. Saving for defence under Merchant Shipping Acts
23. Conviction, etc. to be adduced in evidence: matters to be pleaded
23. Conviction, etc. to be adduced in evidence: matters to be pleaded

ORDER 19 — DEFAULT OF PLEADINGS

1. Default in service of statement of claim
2. Default in service of statement of claim
2. Default of defence claim for liquidated demand
3. Default of defence claim for liquidated demand
3. Default of defence : claim for unliquidated damages
4. Default of defence : claim for unliquidated damages
4. Default of defence : claim for detention of goods
5. Default of defence : claim for detention of goods
5. Claim for possession of land
6. Claim for possession of land
6. Default of defence: mixed claims
7. Default of defence: mixed claims
7. Default of defence: other claims
8. Default of defence: other claims
8. Default of defence to counterclaim
9. Default of defence to counterclaim
9. Setting aside judgment
9. Setting aside judgment

ORDER 20 — AMENDMENT



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1. Amendment of writ without leave  
Amendment of writ without leave
2. Amendment of appearance  
Amendment of appearance
3. Amendment of pleadings without leave  
Amendment of pleadings without leave
4. Application for disallowance of amendment made without leave  
Application for disallowance of amendment made without leave
5. Amendment of writ or pleading with leave  
Amendment of writ or pleading with leave
6. Amendment during Long Vacation  
Amendment during Long Vacation
7. Amendment of other originating process  
Amendment of other originating process
8. Amendment of certain other documents  
Amendment of certain other documents
9. Failure to amend after order  
Failure to amend after order
10. Mode of amendment of writ, etc.  
Mode of amendment of writ, etc.
11. Amendment of judgment and orders  
Amendment of judgment and orders

#### ORDER 21 — WITHDRAWAL AND DISCONTINUANCE

1. Withdrawal of appearance  
Withdrawal of appearance
2. Discontinuance of action, etc., without leave  
Discontinuance of action, etc., without leave
3. Discontinuance of action, etc., with leave  
Discontinuance of action, etc., with leave
4. Effect of discontinuance  
Effect of discontinuance
5. Stay of, subsequent action until costs paid  
Stay of, subsequent action until costs paid
6. Withdrawal of summons  
Withdrawal of summons

#### ORDER 22 — PAYMENT INTO AND OUT OF COURT

1. Payment into court  
Payment into court
2. Payment in by defendant who has counterclaimed  
Payment in by defendant who has counterclaimed
3. Acceptance of money paid into court  
Acceptance of money paid into court
4. Order for payment out of money accepted required in certain cases  
Order for payment out of money accepted required in certain cases
5. Money remaining in court  
Money remaining in court
6. Counterclaim  
Counterclaim
7. Non-disclosure of payment into court  
Non-disclosure of payment into court
8. Money paid into court under order  
Money paid into court under order
9. Person to whom payment to be made

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- Person to whom payment to be made
- 10. Payment out: small intestate estates  
Payment out: small intestate estates
- 11. Payment of hospital expenses  
Payment of hospital expenses
- 12. Investment of money in court  
Investment of money in court
- ORDER 23 — SECURITY FOR COSTS
- 1. Security for costs of action, etc.  
Security for costs of action, etc.
- 2. Manner of giving security  
Manner of giving security
- 3. Saving for statutory provision  
Saving for statutory provision
- ORDER 24 — DISCOVERY AND INSPECTION OF DOCUMENTS
- 1. Order for discovery  
Order for discovery
- 2. Order for determination of issue, etc., before discovery  
Order for determination of issue, etc., before discovery
- 3. Form of list and affidavit  
Form of list and affidavit
- 4. Defendant entitled to copy of co-defendant's list  
Defendant entitled to copy of co-defendant's list
- 5. Order for discovery of particular documents  
Order for discovery of particular documents
- 6. Application under section 31 or 32(1) of Administration of Justice Act 1970  
Application under section 31 or 32(1) of Administration of Justice Act 1970
- 7. Discovery to be ordered only if necessary  
Discovery to be ordered only if necessary
- 8. Inspection of documents referred to in list  
Inspection of documents referred to in list
- 9. Inspection of documents referred to in pleadings and affidavits  
Inspection of documents referred to in pleadings and affidavits
- 10. Order for production for inspection  
Order for production for inspection
- 11. Order for production to Court  
Order for production to Court
- 12. Production to be ordered only if necessary, etc.  
Production to be ordered only if necessary, etc.
- 13. Production of business books  
Production of business books
- 14. Document disclosure of which would be injurious to public interest:  
saving  
Document disclosure of which would be injurious to public interest:  
saving
- 15. Failure to comply with requirement for discovery, etc.  
Failure to comply with requirement for discovery, etc.
- 16. Revocation and variation of orders  
Revocation and variation of orders
- ORDER 25
- ORDER 26 — INTERROGATORIES

1. Discovery by interrogatories  
Discovery by interrogatories
  2. Interrogatories where party is a body of persons  
Interrogatories where party is a body of persons
  3. Statement as to party etc., required to answer  
Statement as to party etc., required to answer
  4. Objection to answer on ground of privilege  
Objection to answer on ground of privilege
  5. Insufficient answer  
Insufficient answer
  6. Failure to comply with order  
Failure to comply with order
  7. Use of answers to interrogatories at trial  
Use of answers to interrogatories at trial
  8. Revocation and variation of orders  
Revocation and variation of orders
- ORDER 27 — ADMISSIONS
1. Admission of case of other party  
Admission of case of other party
  2. Notice to admit facts  
Notice to admit facts
  3. Judgment on admission of facts  
Judgment on admission of facts
  4. Admission and production of documents specified in list of documents  
Admission and production of documents specified in list of documents
  5. Notices to admit or produce documents  
Notices to admit or produce documents
- ORDER 28 — ORIGINATING SUMMONS PROCEDURE
1. Application  
Application
  2. Fixing times for attendance of parties before Court  
Fixing times for attendance of parties before Court
  3. Notice of first hearing, etc.  
Notice of first hearing, etc.
  4. Directions, etc., by Court  
Directions, etc., by Court
  5. Adjournment of summons  
Adjournment of summons
  6. Applications affecting party in default of appearance  
Applications affecting party in default of appearance
  7. Counterclaim by defendant  
Counterclaim by defendant
  8. Continuation of proceedings as if cause or matter begun by writ  
Continuation of proceedings as if cause or matter begun by writ
  9. Order for hearing or trial  
Order for hearing or trial
  10. Failure to prosecute proceedings with despatch  
Failure to prosecute proceedings with despatch
  11. Abatement. etc., of action  
Abatement. etc., of action

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ORDER 29 — INTERLOCUTORY INJUNCTIONS, INTERIM PRESERVATION OF PROPERTY, INTERIM PAYMENTS, ETC.

I. INTERLOCUTORY INJUNCTIONS, INTERIM PRESERVATION OF PROPERTY, ETC.

1. Application for injunction  
Application for injunction
2. Detention, preservation, etc., of subject-matter of cause or matter  
Detention, preservation, etc., of subject-matter of cause or matter
3. Delivery up of goods under s.4 of Torts (Interference with Goods) Act 1977  
Delivery up of goods under s.4 of Torts (Interference with Goods) Act 1977
4. Power to order samples to be taken, etc.  
Power to order samples to be taken, etc.
5. Sale of perishable property etc.  
Sale of perishable property etc.
6. Order for early trial  
Order for early trial
7. Recovery of personal property subject to lien, etc.  
Recovery of personal property subject to lien, etc.
8. Directions  
Directions
9. Inspection, etc., of property under section 21 of Administration of Justice Act 1969 or section 32(2) of Administration of Justice Act 1970  
Inspection, etc., of property under section 21 of Administration of Justice Act 1969 or section 32(2) of Administration of Justice Act 1970
10. Allowance of income of property pendente lite  
Allowance of income of property pendente lite

II. INTERIM PAYMENTS IN ACTIONS FOR PERSONAL INJURIES

11. Interpretation of Part II  
Interpretation of Part II
12. Application for interim payment  
Application for interim payment
13. Manner in which application under rule 12 must be made  
Manner in which application under rule 12 must be made
14. Order for interim payment  
Order for interim payment
15. Directions on application under rule 12  
Directions on application under rule 12
16. Non-disclosure of order for interim payment  
Non-disclosure of order for interim payment
17. Payment into court  
Payment into court
18. Adjustment on final judgment or order  
Adjustment on final judgment or order
19. Interim order on counterclaim

Interim order on counterclaim

III. INTERIM PAYMENTS IN ACTIONS FOR POSSESSION OF LAND

20. Order for interim payment  
Order for interim payment
21. Application for interim payment  
Application for interim payment
22. Directions on application under rule 21  
Directions on application under rule 21
23. Interim payment in respect of counterclaim  
Interim payment in respect of counterclaim

ORDER 30 — RECEIVERS

1. Application for receiver and injunction  
Application for receiver and injunction
2. Giving of security by receiver  
Giving of security by receiver
3. Remuneration of receiver  
Remuneration of receiver
4. Receiver's accounts  
Receiver's accounts
5. Payment of balance, etc., by receiver  
Payment of balance, etc., by receiver
6. Default by receiver  
Default by receiver

ORDER 31 — SALES, ETC. OF LAND BY ORDER OF COURT:  
CONVEYANCING COUNSEL TO THE COURT

I. SALES, ETC. OF LAND BY ORDER OF COURT

1. Power to order sale of land  
Power to order sale of land
2. Manner of carrying out sale  
Manner of carrying out sale
3. Certifying result of sale  
Certifying result of sale
4. Mortgage, exchange or partition under order of the Court  
Mortgage, exchange or partition under order of the Court

II. CONVEYANCING COUNSEL TO THE COURT

5. Reference of matters to conveyancing counsel to Court  
Reference of matters to conveyancing counsel to Court
6. Objection to conveyancing counsel's opinion  
Objection to conveyancing counsel's opinion

ORDER 32 — APPLICATIONS AND PROCEEDINGS IN CHAMBERS

1. Powers of judge in chambers
2. Applications which must be made in chambers
3. Mode of making application  
Mode of making application

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4. Issue of summons  
Issue of summons
5. Service of summons  
Service of summons
6. Adjournment of hearing  
Adjournment of hearing
7. Proceeding in absence of party failing to attend  
Proceeding in absence of party failing to attend
8. Order made ex parte may be set aside  
Order made ex parte may be set aside
9. Subpoena for attendance of witness  
Subpoena for attendance of witness
10. Application to make order of House of Lords order of High Court  
Application to make order of House of Lords order of High Court
11. Jurisdiction of masters  
Jurisdiction of masters
12. Reference of matter to judge  
Reference of matter to judge
13. Power to direct hearing in court  
Power to direct hearing in court
14. Masters may summon parties, etc.  
Masters may summon parties, etc.
15. Obtaining assistance of experts  
Obtaining assistance of experts
16. Adjournment into or from court  
Adjournment into or from court
17. Disposal of matters in chambers  
Disposal of matters in chambers
18. Papers for use of Court, etc.  
Papers for use of Court, etc.

### ***TRIAL***

#### **ORDER 33 — PLACE AND MODE OF TRIAL**

1. Place of trial  
Place of trial
2. Mode of trial  
Mode of trial
3. Time, etc., of trial of questions or issues  
Time, etc., of trial of questions or issues
4. Determining the mode of trial
5. Trial with assistance of assessors  
Trial with assistance of assessors
6. Dismissal of action, etc.; after decision of preliminary issue  
Dismissal of action, etc.; after decision of preliminary issue

#### **ORDER 34 — SETTING DOWN FOR TRIAL ACTION BEGUN BY WRIT**

1. Application and interpretation  
Application and interpretation
2. Time for setting down action  
Time for setting down action
3. Setting down action for trial
4. Lodging documents  
Lodging documents

5. Directions relating to lists  
Directions relating to lists
6. Further provisions as to lists  
Further provisions as to lists
7. Notification of setting down  
Notification of setting down
8. Abatement, etc., of action  
Abatement, etc., of action

ORDER 35 — PROCEEDINGS AT TRIAL

1. Failure to appear by both parties or one of them  
Failure to appear by both parties or one of them
2. Judgment, etc. given in absence of party may be set aside  
Judgment, etc. given in absence of party may be set aside
3. Adjournment of trial  
Adjournment of trial
4. Order of speeches  
Order of speeches
5. Inspection by judge or jury  
Inspection by judge or jury
6. Death of party before giving of judgment  
Death of party before giving of judgment
7. Record to be kept by officer
8. List of exhibits  
List of exhibits
9. Custody of exhibit after trial  
Custody of exhibit after trial
10. Impounded documents  
Impounded documents

ORDER 36 — TRIALS BEFORE MASTERS AND REFEREES UNDER s.20 OF  
ARBITRATION ACT (NORTHERN IRELAND) 1937

1. Power to order trial before master or referee  
Power to order trial before master or referee
2. Procedure on reference  
Procedure on reference
3. Lodgment of order under rule 1
4. Report on reference  
Report on reference
5. Powers; etc. of referee  
Powers; etc. of referee

ORDER 37 — ASSESSMENT OF DAMAGES

1. Assessment of damages by a master  
Assessment of damages by a master
2. Certificate or judgment for amount of damages  
Certificate or judgment for amount of damages
3. Default judgment against some but not all defendants  
Default judgment against some but not all defendants
4. Power to order assessment by master, etc.  
Power to order assessment by master, etc.
5. Assessment of value  
Assessment of value
6. Assessment of damages to time of assessment  
Assessment of damages to time of assessment

ORDER 38 — EVIDENCE

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## I. GENERAL RULES

1. General rule : witness to be examined orally  
General rule : witness to be examined orally
2. Evidence by affidavit  
Evidence by affidavit
3. Evidence of particular facts  
Evidence of particular facts
4. Revocation or variation of orders under rule 2 or 3  
Revocation or variation of orders under rule 2 or 3
5. Evidence of finding on foreign law  
Evidence of finding on foreign law
6. Application to trials of issues, references, etc.  
Application to trials of issues, references, etc.
7. Depositions: when receivable in evidence at trial  
Depositions: when receivable in evidence at trial
8. Court documents admissible or receivable in evidence  
Court documents admissible or receivable in evidence
9. Evidence of consent of new trustee to act  
Evidence of consent of new trustee to act
10. Evidence at trial; may be used in subsequent proceedings  
Evidence at trial; may be used in subsequent proceedings
11. Order to produce document at proceeding other than trial  
Order to produce document at proceeding other than trial

## II. WRITS OF SUBPOENA

12. Form and issue of writ of subpoena  
Form and issue of writ of subpoena
13. More than one name may be included in one writ of subpoena  
More than one name may be included in one writ of subpoena
14. Amendment of writ of subpoena  
Amendment of writ of subpoena
15. Service of writ of subpoena  
Service of writ of subpoena
16. Duration of writ of subpoena  
Duration of writ of subpoena
17. Writ of subpoena in aid of inferior court or tribunal  
Writ of subpoena in aid of inferior court or tribunal

## III. EVIDENCE ADMISSIBLE UNDER PART 1 OF THE CIVIL EVIDENCE ACT (NORTHERN IRELAND) 1971

18. Interpretation and application  
Interpretation and application
19. Notice of intention to give in evidence statement under section 1 or 2 of the Civil Evidence Act  
Notice of intention to give in evidence statement under section 1 or 2 of the Civil Evidence Act



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20. Statement admissible by virtue of section 1 of the Civil Evidence Act: contents of notice  
Statement admissible by virtue of section 1 of the Civil Evidence Act: contents of notice
  21. Statement admissible by virtue of section 2 of the Civil Evidence Act: contents of notice  
Statement admissible by virtue of section 2 of the Civil Evidence Act: contents of notice
  22. Reasons for not calling a person as a witness  
Reasons for not calling a person as a witness
  23. Counter-notice requiring person to be called as a witness  
Counter-notice requiring person to be called as a witness
  24. Determination of question whether a person can or should be called as a witness  
Determination of question whether a person can or should be called as a witness
  25. Directions with respect to statement made in previous proceedings  
Directions with respect to statement made in previous proceedings
  26. Power of Court to allow statement to be given in evidence  
Power of Court to allow statement to be given in evidence
  27. Restriction on adducing evidence as to credibility of supplier of information, etc.  
Restriction on adducing evidence as to credibility of supplier of information, etc.
  28. Notice required of intention to give evidence of certain inconsistent statements  
Notice required of intention to give evidence of certain inconsistent statements
  29. Costs  
Costs
- ORDER 39 — EVIDENCE BY DEPOSITION
1. Power to order depositions to be taken  
Power to order depositions to be taken
  2. Where person to be examined is out of the jurisdiction  
Where person to be examined is out of the jurisdiction
  3. Order for issue of letter of request  
Order for issue of letter of request
  4. Enforcing attendance of witness at examination  
Enforcing attendance of witness at examination
  5. Refusal of witness to attend, be sworn, etc.  
Refusal of witness to attend, be sworn, etc.
  6. Appointment of time and place for examination  
Appointment of time and place for examination
  7. Examiner to have certain documents  
Examiner to have certain documents
  8. Conduct of examination  
Conduct of examination
  9. Examination of additional witnesses  
Examination of additional witnesses
  10. Objections to questions  
Objections to questions
  11. Taking of depositions  
Taking of depositions

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12. Time taken by examination to be indorsed on depositions  
Time taken by examination to be indorsed on depositions
13. Special report by examiner  
Special report by examiner
14. Order for payment of examiner's fees  
Order for payment of examiner's fees
15. Perpetuation of testimony  
Perpetuation of testimony

ORDER 40

ORDER 41 — AFFIDAVITS

1. Form of affidavit  
Form of affidavit
2. Affidavit by two or more deponents  
Affidavit by two or more deponents
3. Affidavit by illiterate or blind person  
Affidavit by illiterate or blind person
4. Use of defective affidavit  
Use of defective affidavit
5. Contents of affidavit  
Contents of affidavit
6. Scandalous, etc., matter in affidavit  
Scandalous, etc., matter in affidavit
7. Alterations in affidavits  
Alterations in affidavits
8. Affidavit not to be sworn before solicitor of party, etc.  
Affidavit not to be sworn before solicitor of party, etc.
9. Filing of affidavits  
Filing of affidavits
10. Use of original affidavit or office copy  
Use of original affidavit or office copy
11. Document to be used in conjunction with affidavit to be exhibited to it  
Document to be used in conjunction with affidavit to be exhibited to it
12. Masters and certain clerks may administer oaths, etc.
13. Affidavit taken in Commonwealth country admissible without proof of seal, etc.  
Affidavit taken in Commonwealth country admissible without proof of seal, etc.
14. Notice of affidavit

ORDER 42 — JUDGMENTS

1. Interpretation
2. Drawing up judgments
3. Judgments required to be drawn up  
Judgments required to be drawn up
4. Judgment requiring act to be done: time for doing it  
Judgment requiring act to be done: time for doing it
5. Judgment requiring act to be done: order fixing time for doing it
6. Judgment in favour of reversioner for detention of goods  
Judgment in favour of reversioner for detention of goods
7. Judgment in default of appearance or defence
8. Date from which judgment takes effect  
Date from which judgment takes effect

9. Interest on judgment debts
  10. Copies of judgments
- ORDER 43 — ACCOUNTS AND INQUIRIES
1. Summary order for account  
Summary order for account
  2. Court may direct taking of accounts etc.  
Court may direct taking of accounts etc.
  3. Directions as to manner of taking account  
Directions as to manner of taking account
  4. Account to be made, verified etc.  
Account to be made, verified etc.
  5. Notice to be given of alleged omissions etc. in account  
Notice to be given of alleged omissions etc. in account
  6. Allowances  
Allowances
  7. Delay in prosecution of accounts, etc.  
Delay in prosecution of accounts, etc.
  8. Distribution of fund before all persons entitled are ascertained  
Distribution of fund before all persons entitled are ascertained
  9. Guardian's accounts  
Guardian's accounts
- ORDER 44 — PROCEEDINGS UNDER JUDGMENTS AND ORDERS:  
CHANCERY DIVISION
1. Application to proceedings under an order  
Application to proceedings under an order
  2. Documents to be left at Chancery Office: summons to proceed  
Documents to be left at Chancery Office: summons to proceed
  3. Service of notice of judgment on person not a party  
Service of notice of judgment on person not a party
  4. Directions by Court  
Directions by Court
  5. Court may require parties to be represented by same solicitors  
Court may require parties to be represented by same solicitors
  6. Court may require parties to be represented by different solicitors  
Court may require parties to be represented by different solicitors
  7. Leave to attend proceedings, etc.  
Leave to attend proceedings, etc.
  8. Judgment requiring deed to be settled by Court: directions  
Judgment requiring deed to be settled by Court: directions
  9. Application of rules 10 to 17  
Application of rules 10 to 17
  10. Advertisements for creditors and other claimants  
Advertisements for creditors and other claimants
  11. Failure to claim within specified time  
Failure to claim within specified time
  12. Examination, etc. of claims  
Examination, etc. of claims
  13. Adjudication on claims  
Adjudication on claims
  14. Adjournment of adjudication  
Adjournment of adjudication
  15. Service of notice of judgment on certain claimants  
Service of notice of judgment on certain claimants

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16. Notice, etc. of claims allowed  
Notice, etc. of claims allowed
17. Service of notices  
Service of notices
18. Interest on debts  
Interest on debts
19. Interest on legacies  
Interest on legacies
20. Determination by judge of question arising before Master  
Determination by judge of question arising before Master
21. Master's certificate  
Master's certificate
22. Settling and filing of Master's certificate  
Settling and filing of Master's certificate
23. Discharge or variation of Master's certificate  
Discharge or variation of Master's certificate
24. Further consideration of cause or matter in chambers  
Further consideration of cause or matter in chambers
25. Further consideration of cause or matter in court  
Further consideration of cause or matter in court

#### **ENFORCEMENT OF JUDGMENTS AND ORDERS**

##### **ORDER 45 — ENFORCEMENT OF JUDGMENTS AND ORDERS: GENERAL**

1. Interpretation
2. Enforcement of judgment, etc., for payment of money into court  
Enforcement of judgment, etc., for payment of money into court
3. Enforcement of judgment for possession of land
4. Enforcement of judgment to do or abstain from doing any act  
Enforcement of judgment to do or abstain from doing any act
5. Service of copy of judgment, etc., prerequisite to enforcement under rule 5  
Service of copy of judgment, etc., prerequisite to enforcement under rule 5
6. Court may order act to be done at expense of disobedient party  
Court may order act to be done at expense of disobedient party
7. Enforcement by or against person not being a party  
Enforcement by or against person not being a party
8. Conditional judgment: waiver  
Conditional judgment: waiver
9. Matters occurring after judgment: stay of enforcement, etc.  
Matters occurring after judgment: stay of enforcement, etc.

##### **ORDER 46 — LEAVE TO ENFORCE JUDGMENTS**

1. Application for leave to enforce  
Application for leave to enforce

##### **ORDER 47 — SEQUESTRATION**

1. Application for order of sequestration  
Application for order of sequestration

##### **ORDER 48 — EXAMINATION OF PARTY LIABLE TO SATISFY JUDGMENT**

1. Examination of party liable to satisfy judgment other than a judgment for the payment of money  
Examination of party liable to satisfy judgment other than a judgment for the payment of money

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2. Examiner to make record of statement pursuant to examination under rule 1  
Examiner to make record of statement pursuant to examination under rule 1

ORDER 49

ORDER 50 — FUNDS IN COURT: STOP ORDER

1. Funds in court: stop order  
Funds in court: stop order

ORDER 51

ORDER 52 — COMMITTAL

1. Committal for contempt of court  
Committal for contempt of court
2. Application to the Court  
Application to the Court
3. Application for order after leave to apply granted  
Application for order after leave to apply granted
4. Application for order under rule 1(3)
5. Where person sought to be committed fails to appear
6. Saving for power to commit without application for purpose  
Saving for power to commit without application for purpose
7. Contempt in presence of judge
8. Provisions as to hearing  
Provisions as to hearing
9. Power to suspend execution of committal order  
Power to suspend execution of committal order
10. Discharge of person committed  
Discharge of person committed
11. Saving for other powers  
Saving for other powers

***COURT OF APPEAL ETC.***

ORDER 53 — APPLICATIONS FOR JUDICIAL REVIEW

1. Procedure for application for judicial review  
Procedure for application for judicial review
2. Exercise of jurisdiction in a criminal cause or matter
3. Grant of leave to apply for judicial review  
Grant of leave to apply for judicial review
4. Delay in applying for relief  
Delay in applying for relief
5. Mode of applying for judicial review  
Mode of applying for judicial review
6. Statements and affidavits  
Statements and affidavits
7. Claims for damages  
Claims for damages
8. Application for discovery, interrogatories, cross-examination, etc.
9. Hearing of application for judicial review
10. Right of appeal  
Right of appeal
11. Right of appeal

ORDER 54 — APPLICATIONS FOR WRIT OF HABEAS CORPUS

1. Application for writ of habeas corpus ad subjiciendum

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2. Power of court to which ex parte application made
3. Copies of affidavits to be supplied
4. Power to order release of person restrained
5. Directions as to return of writ
6. Service of writ and notice
7. Return of the writ
8. Procedure at hearing of writ
9. Bringing up prisoner to give evidence, etc.
10. Form of writ

ORDER 55 — APPEALS TO THE HIGH COURT (OTHER THAN CASES STATED)

PART I

COUNTY COURT APPEALS

1. Interpretation
2. Lodgment and entry of appeal
3. Service of notice of appeal
4. Directions as to service
5. Application to state case treated as notice of appeal
6. More than one appellant
7. Venue
8. Lodgment not to be disclosed
9. Stay of enforcement
10. Withdrawal of appeal
11. Striking out an appeal
12. Discharge of security, etc.

PART II

APPEALS, REFERENCES AND APPLICATIONS UNDER STATUTORY PROVISIONS

13. Application
14. Notice and entry of appeal
15. Service of notice of motion
16. Appeal books
17. Application for leave to appeal
18. Security for costs in tax cases
19. References
20. Applications
21. Copies of orders
22. Application of Order 59

ORDER 56 — APPEALS TO THE HIGH COURT BY CASE STATED:  
GENERAL

1. Proceedings on case stated
2. Appeal books
3. Signing of case stated
4. Withdrawal of case stated
5. Copies of orders

ORDER 57 — CROWN SIDE PROCEEDINGS: GENERAL

1. Custody of records  
Custody of records

2. Affidavits
3. Estreat of recognizances
4. Issue of writs  
Issue of writs
5. Issue of motions

#### ORDER 58 — APPEALS FROM MASTERS, CIRCUIT REGISTRARS AND JUDGES

1. Appeals from certain decisions of masters, etc., to judge in chambers  
Appeals from certain decisions of masters, etc., to judge in chambers
2. Appeals from certain decisions of the Master (Queen's Bench and Appeals)  
Appeals from certain decisions of the Master (Queen's Bench and Appeals)
3. Appeals from certain decisions of the Master (Chancery)  
Appeals from certain decisions of the Master (Chancery)
4. Appeal from a judge in chambers  
Appeal from a judge in chambers
5. Appeal from judgment, etc., of judge in interpleader proceedings  
Appeal from judgment, etc., of judge in interpleader proceedings

#### ORDER 59 — APPEALS TO THE COURT OF APPEAL

1. Application of Order to appeals  
Application of Order to appeals
2. Application of Order to applications for new trial  
Application of Order to applications for new trial

#### GENERAL PROVISIONS AS TO APPEALS

3. Notice of appeal  
Notice of appeal
4. Time for appealing  
Time for appealing
5. Setting down appeal
6. Respondent's notice  
Respondent's notice
7. Amendment of notice of appeal and respondent's notice  
Amendment of notice of appeal and respondent's notice
8. Directions of the Court as to service  
Directions of the Court as to service
9. Documents to be lodged by appellant  
Documents to be lodged by appellant
10. General powers of the Court  
General powers of the Court
11. Powers of the Court as to new trials  
Powers of the Court as to new trials
12. Evidence on appeal  
Evidence on appeal
13. Stay of enforcement, etc.  
Stay of enforcement, etc.
14. Applications to Court of Appeal  
Applications to Court of Appeal
15. Extension of time  
Extension of time

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## SPECIAL PROVISIONS AS TO PARTICULAR APPEALS

16. Appeal relating to validity of a law
  17. Appeal against order for revocation of patent
  18. Appeals in cases of contempt of court
- ORDER 60 — APPEALS TO COURT OF APPEAL FROM THE RESTRICTIVE PRACTICES COURT
1. Appeal to be brought by motion  
Appeal to be brought by motion
  2. Service of notice of motion  
Service of notice of motion
  3. Entry, etc. of appeal  
Entry, etc. of appeal
  4. Powers of Court of Appeal  
Powers of Court of Appeal
- ORDER 61 — APPEALS FROM COURTS, TRIBUNALS, ETC., TO THE COURT OF APPEAL BY CASE STATED
1. Proceedings on case stated
  2. Appeal books
  3. Withdrawal of case stated
  4. Application for order to state case
  5. Application to High Court to state case
  6. Judge to settle case stated
  7. Signing of case stated
  8. Copies of orders
- ORDER 62 — COSTS

## PRELIMINARY

1. Interpretation  
Interpretation
2. Application  
Application

## ENTITLEMENT TO COSTS

3. When costs follow the event  
When costs follow the event
4. Stage of proceedings at which costs to be dealt with  
Stage of proceedings at which costs to be dealt with
5. Special matters to be taken into account in exercising discretion  
Special matters to be taken into account in exercising discretion
6. Restriction of discretion to order costs  
Restriction of discretion to order costs
7. Costs arising from misconduct or neglect  
Costs arising from misconduct or neglect
8. Personal liability of solicitor for costs  
Personal liability of solicitor for costs
9. Fractional or gross sum in place of taxed costs  
Fractional or gross sum in place of taxed costs



10. When a party may enter judgment for costs without an order  
When a party may enter judgment for costs without an order
11. When order for taxation of costs not required  
When order for taxation of costs not required
12. Application for order for taxation under the Solicitors (Northern Ireland) Order 1976 or the Solicitors (Ireland) Act 1849

#### POWERS OF TAXING MASTER

13. Powers of Taxing Master  
Powers of Taxing Master
14. Supplementary powers of Taxing Master  
Supplementary powers of Taxing Master
15. Extension, etc. of time  
Extension, etc. of time
16. Interim certificates  
Interim certificates
17. Power of Taxing Master where party liable to be paid and to pay costs  
Power of Taxing Master where party liable to be paid and to pay costs
18. Taxation of bill of costs comprised in account  
Taxation of bill of costs comprised in account
19. Taxing Master to fix certain fees payable to conveyancing counsel, etc.  
Taxing Master to fix certain fees payable to conveyancing counsel, etc.

#### PROCEDURE ON TAXATION

20. Mode of beginning proceedings for taxation  
Mode of beginning proceedings for taxation
21. Notification of time appointed for taxation  
Notification of time appointed for taxation
22. Delivery of bills, etc.  
Delivery of bills, etc.
23. Short and urgent taxation proceedings  
Short and urgent taxation proceedings
24. Provisions as to bills of costs  
Provisions as to bills of costs
25. Provisions as to taxation proceedings  
Provisions as to taxation proceedings
26. Powers of Taxing Master taxing costs payable out of fund  
Powers of Taxing Master taxing costs payable out of fund

#### ASSESSMENT OF COSTS

27. Costs payable to one party by another or out of a fund  
Costs payable to one party by another or out of a fund
28. Costs of a litigant in person

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- Costs of a litigant in person
- 29. Limitations on the amount of costs recoverable where proceedings could have been brought in the county court
- 30. Further limitations on the amount of costs recoverable
- 31. Costs payable to a solicitor by his own client
- Costs payable to a solicitor by his own client
- 32. Costs payable to solicitor where money recovered by or on behalf of minor, etc.
- Costs payable to solicitor where money recovered by or on behalf of minor, etc.
- 33. Costs payable to a trustee out of the trust fund, etc.
- Costs payable to a trustee out of the trust fund, etc.
- 34. Scales of costs
- Scales of costs

#### REVIEW

- 35. Application to Taxing Master for review
- Application to Taxing Master for review
- 36. Review by Taxing Master
- Review by Taxing Master
- 37. Review of Taxing Master's certificate by a judge
- Review of Taxing Master's certificate by a judge

#### APPENDIX 1

##### REQUISITE DOCUMENT FOR PURPOSES OF RULE 20

- 1. Where a party is entitled to require any costs to...
- 2. Where a party is entitled by virtue of rule 10...
- 3. Where a party is entitled to require taxation by the...
- 4. Where a party is entitled to require taxation by the...
- 5. Where a party is entitled by virtue of rule 3(13)...

#### APPENDIX 2

##### SCALE OF COSTS

###### PART 1

###### *PREPARATION OF DOCUMENTS*

- 4. Copy documents: (a) Typed top copy A5 (quarto) 20p per...

###### PART 2

###### *BLOCK ALLOWANCE*

- 5. In any action for damages for personal injuries, and, subject...

### PART 3

#### *ATTENDANCES*

6. Interlocutory attendances: Attending the hearing of any summons or other...
7. Counsel: Attending counsel in consultation or conference including attending to...
8. Trial or hearing: Attending the trial or hearing of a...
9. Accountant General: Attendance at Courts Funds Office or at the...

### PART 4

#### *PREPARATION FOR TRIAL*

10. Instructions for trial or hearing of any cause or matter,...

### PART 5

#### *ADMIRALTY*

11. (a) Obtaining arrest or release of property £9 (b) Entry...

### PART 6

#### *TAXATION OF COSTS*

12. (a) Taxation Obtaining the reference, preparing bill of costs and...

### REGULATIONS

1. Discretionary costs  
Discretionary costs
2. Fees to counsel  
Fees to counsel
3. Consultations
4. Items to be authorised, certified, etc.  
Items to be authorised, certified, etc.
5. Certificate of Court to be taken into account  
Certificate of Court to be taken into account
6. Copies of documents  
Copies of documents
7. Allowances to expert witnesses
8. Uncompleted work

### APPENDIX 3

#### FIXED COSTS

### PART 1

#### *COSTS ON RECOVERY OF A LIQUIDATED SUM WITHOUT TRIAL*

1. The scale of costs following paragraph 2 of this Part...

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2. There shall be added to the basic costs set out...

## PART 2

### *COSTS ON JUDGMENT WITHOUT TRIAL FOR POSSESSION OF LAND*

1. (1) Where the writ of summons is indorsed with a...
2. The costs to be allowed under this Part of this...

## PART 3

### *MISCELLANEOUS*

1. Where a plaintiff or defendant signs judgment for costs under...
2. Where a certificate of a judgment or decree is registered...
3. Where proceedings are taken pursuant to Order 111, there shall...

## APPENDIX 4

### NON-CONTENTIOUS PROBATE COSTS

1. For work done in respect of business to which the...
2. The provisions of this Appendix apply to all non-contentious or...

## APPENDIX 5

### ***GENERAL AND ADMINISTRATIVE PROVISIONS***

#### ORDER 63

#### ORDER 64 — SITTINGS, VACATIONS AND OFFICE HOURS

1. Sittings of Supreme Court  
Sittings of Supreme Court
2. Vacation Judge  
Vacation Judge
3. Sittings and powers of Vacation Judge  
Sittings and powers of Vacation Judge
4. Hearing of applications, etc. in vacation  
Hearing of applications, etc. in vacation
5. Supreme Court Offices days on which open and office hours  
Supreme Court Offices days on which open and office hours

#### ORDER 65 — SERVICE OF DOCUMENTS

1. When personal service required  
When personal service required
2. Personal service : how effected  
Personal service : how effected
3. Service on body corporate  
Service on body corporate
4. Substituted service  
Substituted service
5. Ordinary service : how effected  
Ordinary service : how effected
6. Service on Minister, etc., in proceedings which are not by or against the Crown

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Service on Minister, etc., in proceedings which are not by or against the Crown

7. Effect of service after certain hours  
Effect of service after certain hours
8. Affidavit of service  
Affidavit of service
9. No service required in certain cases  
No service required in certain cases

**ORDER 66 — PAPER, PRINTING, NOTICES, COPIES AND INSPECTION OF DOCUMENTS**

1. Quality and size of paper  
Quality and size of paper
2. Regulations as to printing, etc.  
Regulations as to printing, etc.
3. Copies of documents for other party  
Copies of documents for other party
4. Requirements as to copies  
Requirements as to copies
5. Right to inspect, etc. certain documents filed in Court Offices  
Right to inspect, etc. certain documents filed in Court Offices

**ORDER 67 — CHANGE OF SOLICITOR**

1. Notice of change of solicitor  
Notice of change of solicitor
2. Notice of appointment of solicitor  
Notice of appointment of solicitor
3. Notice of intention to act in person  
Notice of intention to act in person
4. Removal of solicitor from record at instance of another party  
Removal of solicitor from record at instance of another party
5. Withdrawal of solicitor who has ceased to act for party  
Withdrawal of solicitor who has ceased to act for party
6. Address for service of party whose solicitor is removed, etc.  
Address for service of party whose solicitor is removed, etc.

**ORDER 68**

***PROVISIONS AS TO FOREIGN PROCEEDINGS***

**ORDER 69 — SERVICE OF FOREIGN PROCESS**

1. Definitions  
Definitions
2. Service of foreign legal process  
Service of foreign legal process
3. Service of foreign legal process under Civil Procedure Convention  
Service of foreign legal process under Civil Procedure Convention
4. Costs of service, etc. to be certified by the Master (Taxing Office)  
Costs of service, etc. to be certified by the Master (Taxing Office)
5. Appointment of process server  
Appointment of process server

**ORDER 70 — OBTAINING EVIDENCE FOR FOREIGN COURTS, ETC.**

1. Interpretation and exercise of jurisdiction  
Interpretation and exercise of jurisdiction
2. Application for order  
Application for order

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3. Application by Crown Solicitor in certain cases  
Application by Crown Solicitor in certain cases
4. Person to take and manner of taking examination  
Person to take and manner of taking examination
5. Dealing with deposition  
Dealing with deposition
6. Claim to privilege  
Claim to privilege

## ORDER 71 — RECIPROCAL ENFORCEMENT OF JUDGMENTS AND ENFORCEMENT OF EUROPEAN COMMUNITY JUDGMENTS

### 1. RECIPROCAL ENFORCEMENT

1. Powers under relevant Acts exercisable by judge or master  
Powers under relevant Acts exercisable by judge or master
2. Application for registration  
Application for registration
3. Evidence in support of application  
Evidence in support of application
4. Security for costs  
Security for costs
5. Order for registration  
Order for registration
6. Register of judgments  
Register of judgments
7. Notice of registration  
Notice of registration
8. Application to set aside registration  
Application to set aside registration
9. Determination of certain questions  
Determination of certain questions
10. Rules to have effect subject to Orders in Council  
Rules to have effect subject to Orders in Council
11. Certified copy of High Court judgment  
Certified copy of High Court judgment
12. Registration of certificates under Judgments Extension Act 1868  
Registration of certificates under Judgments Extension Act 1868

### II. EUROPEAN COMMUNITY JUDGMENTS

13. Interpretation  
Interpretation
14. Functions under Order in Council exercisable by judge or master  
Functions under Order in Council exercisable by judge or master
15. Application for registration of Community judgments, etc.  
Application for registration of Community judgments, etc.
16. Evidence in support of application  
Evidence in support of application
17. Register of judgments and orders  
Register of judgments and orders
18. Notice of registration

- Notice of registration
- 19. Application to vary or cancel registration  
Application to vary or cancel registration
- 20. Application for registration of suspension order  
Application for registration of suspension order
- 21. Application for enforcement of Euratom inspection order  
Application for enforcement of Euratom inspection order

ORDER 72

ORDER 73 — ARBITRATION PROCEEDINGS

- 1. Assignment of arbitration proceedings among Divisions of High Court  
Assignment of arbitration proceedings among Divisions of High Court
- 2. Matters for a judge in court  
Matters for a judge in court
- 3. Matters for judge in chambers or master  
Matters for judge in chambers or master
- 4. Time limits and other special provisions as to applications under the Arbitration Act (Northern Ireland) 1937  
Time limits and other special provisions as to applications under the Arbitration Act (Northern Ireland) 1937
- 5. Service out of the jurisdiction of summons, notice, etc.  
Service out of the jurisdiction of summons, notice, etc.
- 6. Registration in High Court of foreign awards  
Registration in High Court of foreign awards
- 7. Registration of awards under Arbitration (International Investment Disputes) Act 1966  
Registration of awards under Arbitration (International Investment Disputes) Act 1966
- 8. Enforcement of arbitration awards  
Enforcement of arbitration awards

***SPECIAL PROVISIONS AS TO PARTICULAR PROCEEDINGS***

ORDER 74

ORDER 75 — ADMIRALTY PROCEEDINGS

- 1. Application and interpretation  
Application and interpretation
- 2. Certain actions to be assigned to Admiralty  
Certain actions to be assigned to Admiralty
- 2A Proceedings against, or concerning, the International Pollution Fund  
Proceedings against, or concerning, the International Pollution Fund
- 3. Issue of writ and entry of appearance  
Issue of writ and entry of appearance
- 4. Service of writ out of jurisdiction  
Service of writ out of jurisdiction
- 5. Warrant of arrest  
Warrant of arrest
- 6. Caveat against arrest  
Caveat against arrest
- 7. Remedy where property protected by caveat is arrested  
Remedy where property protected by caveat is arrested
- 8. Service of writ in action in rem

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- Service of writ in action in rem
- 9. Committal of solicitor failing to comply with undertaking  
Committal of solicitor failing to comply with undertaking
- 10. Execution, etc., of warrant of arrest  
Execution, etc., of warrant of arrest
- 11. Service on ships, etc. : how effected  
Service on ships, etc. : how effected
- 12. Applications with respect to property under arrest  
Applications with respect to property under arrest
- 13. Release of property under arrest  
Release of property under arrest
- 14. Caveat against release and payment  
Caveat against release and payment
- 15. Duration of caveats  
Duration of caveats
- 16. Bail  
Bail
- 17. Interveners  
Interveners
- 18. Preliminary acts  
Preliminary acts
- 19. Failure to lodge preliminary act: proceedings against party in default  
Failure to lodge preliminary act: proceedings against party in default
- 20. Special provisions as to pleadings in collision, etc. actions  
Special provisions as to pleadings in collision, etc. actions
- 21. Judgment by default  
Judgment by default
- 22. Order for sale of ship: determination of priority of claims  
Order for sale of ship: determination of priority of claims
- 23. Appraisalment and sale of property  
Appraisalment and sale of property
- 23A. Undertakings as to expenses, etc.  
Undertakings as to expenses, etc.
- 24. Payment into and out of court  
Payment into and out of court
- 25. Summons for directions  
Summons for directions
- 26. Fixing date for trial, etc.  
Fixing date for trial, etc.
- 27. Stay of proceedings in collision, etc. actions until security given  
Stay of proceedings in collision, etc. actions until security given
- 28. Inspection of ship, etc.  
Inspection of ship, etc.
- 29. Examination of witnesses and other persons  
Examination of witnesses and other persons
- 30. Trial as an Admiralty short cause  
Trial as an Admiralty short cause
- 31. Further provisions with respect to evidence  
Further provisions with respect to evidence
- 32. Proceedings for apportionment of salvage  
Proceedings for apportionment of salvage
- 33. Filing and service of notice of motion  
Filing and service of notice of motion



34. Agreement between solicitors may be made order of court  
Agreement between solicitors may be made order of court
35. Originating summons procedure  
Originating summons procedure
36. Limitation action: parties  
Limitation action: parties
37. Limitation action: summons for decree or directions  
Limitation action: summons for decree or directions
38. Limitation action: proceedings under decree  
Limitation action: proceedings under decree
39. Limitation action: proceedings to set aside decree  
Limitation action: proceedings to set aside decree
40. References to Registrar  
References to Registrar
41. Hearing of reference  
Hearing of reference
42. Objection to decision on reference  
Objection to decision on reference
43. Drawing up and entry of judgments and orders  
Drawing up and entry of judgments and orders

#### ORDER 76 — CONTENTIOUS PROBATE PROCEEDINGS

1. Application and interpretation  
Application and interpretation
  2. Requirements in connection with issue of writ  
Requirements in connection with issue of writ
  3. Parties to action for revocation of grant  
Parties to action for revocation of grant
  4. Lodgment of grant in action for revocation  
Lodgment of grant in action for revocation
  5. Affidavit of testamentary scripts  
Affidavit of testamentary scripts
  6. Default of appearance  
Default of appearance
  7. Service of statement of claim  
Service of statement of claim
  8. Counterclaim  
Counterclaim
  9. Contents of pleadings  
Contents of pleadings
  10. Default of pleadings  
Default of pleadings
  11. Discontinuance and dismissal  
Discontinuance and dismissal
  12. Compromise of action: trial on affidavit evidence  
Compromise of action: trial on affidavit evidence
  13. Application for order to bring in will, etc.  
Application for order to bring in will, etc.
  14. Administration pendente lite  
Administration pendente lite
  15. Probate counterclaim in other proceedings  
Probate counterclaim in other proceedings
- #### ORDER 77 — PROCEEDINGS BY AND AGAINST THE CROWN
1. Application and interpretation

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- Application and interpretation
- 2. Particulars to be included in indorsement of claim  
Particulars to be included in indorsement of claim
- 3. Service on the Crown  
Service on the Crown
- 4. Counterclaim and set-off  
Counterclaim and set-off
- 5. Summary judgment  
Summary judgment
- 6. Summary applications to the Court in certain revenue matters  
Summary applications to the Court in certain revenue matters
- 7. Joinder of Commissioners of Inland Revenue under Order 15 rule 6(2)(b)(ii)  
Joinder of Commissioners of Inland Revenue under Order 15 rule 6(2)(b)(ii)
- 8. Judgment in default  
Judgment in default
- 9. Third party notices  
Third party notices
- 10. Interpleader: application for order against Crown  
Interpleader: application for order against Crown
- 11. Discovery and interrogatories  
Discovery and interrogatories
- 12. Place of trial  
Place of trial
- 13. Evidence  
Evidence
- 14. Enforcement and satisfaction of orders  
Enforcement and satisfaction of orders
- 15. Attachment of debts, etc.  
Attachment of debts, etc.
- 16. Proceedings relating to postal packets  
Proceedings relating to postal packets
- 17. Applications under ss. 17 and 29 of the Act  
Applications under ss. 17 and 29 of the Act

#### ORDER 78 — REMITTAL AND REMOVAL OF PROCEEDINGS

- 1. Interpretation and assignment of proceedings
- 2. Remittal and removal of proceedings
- 3. Remittal and removal on consent
- 4. Opposing an application for remittal or removal
- 5. Reports of experts
- 6. Service of affidavits and exhibits
- 7. Directions
- 8. Procedure on remittal
- 9. Procedure on removal
- 10. Procedure on counterclaim

#### ORDER 79

#### ORDER 80 — DISABILITY

- 1. Interpretation  
Interpretation
- 2. Person under disability must sue, etc. by next friend or guardian, ad litem

- Person under disability must sue, etc. by next friend or guardian, ad litem
3. Appointment of next friend or guardian ad litem  
Appointment of next friend or guardian ad litem
  4. Appointment of guardian where person under disability does not appear  
Appointment of guardian where person under disability does not appear
  5. Application to discharge or vary certain orders  
Application to discharge or vary certain orders
  6. Admission not to be implied from pleading of person under disability  
Admission not to be implied from pleading of person under disability
  7. Discovery and interrogatories  
Discovery and interrogatories
  8. Compromise, etc., by person under disability  
Compromise, etc., by person under disability
  9. Approval of settlement  
Approval of settlement
  10. Control of money recovered by person under disability  
Control of money recovered by person under disability
  11. Provision supplementary to rule 10  
Provision supplementary to rule 10
  12. Proceedings under Fatal Accidents Order: apportionment by court  
Proceedings under Fatal Accidents Order: apportionment by court
  13. Service of certain documents on person under disability  
Service of certain documents on person under disability

**ORDER 81 — PARTNERS**

1. Actions by and against firms within jurisdiction  
Actions by and against firms within jurisdiction
2. Disclosure of partners' names  
Disclosure of partners' names
3. Service of writ  
Service of writ
4. Entry of appearance in an action against firm  
Entry of appearance in an action against firm
5. Leave to enforce judgment against firm  
Leave to enforce judgment against firm
6. Leave to enforce judgment in actions between partners, etc  
Leave to enforce judgment in actions between partners, etc
7. Actions begun by originating summons  
Actions begun by originating summons
8. Application to person carrying on business in another name  
Application to person carrying on business in another name

**ORDER 82 — DEFAMATION ACTIONS**

1. These Rules apply to actions for libel or slander subject...
2. Indorsement of claim in libel action  
Indorsement of claim in libel action
3. Obligation to give particulars  
Obligation to give particulars
4. Provision as to payment into court  
Provision as to payment into court

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5. Statement in open court  
Statement in open court
  6. Interrogatories not allowed in certain cases  
Interrogatories not allowed in certain cases
  7. Evidence in mitigation of damages  
Evidence in mitigation of damages
  8. Fulfilment of offer of amends under s. 4 of Defamation Act  
(Northern Ireland) 1955  
Fulfilment of offer of amends under s. 4 of Defamation Act  
(Northern Ireland) 1955
- ORDER 83 — REOPENING OF AGREEMENTS UNDER THE CONSUMER  
CREDIT ACT 1974
1. Interpretation  
Interpretation
  2. Notice to reopen agreement  
Notice to reopen agreement
  3. No default judgment without leave  
No default judgment without leave
  4. Court's powers on hearing of application  
Court's powers on hearing of application
- ORDER 84
- ORDER 85 — ADMINISTRATION AND SIMILAR ACTIONS
1. Interpretation  
Interpretation
  2. Determination of questions, etc., without administration  
Determination of questions, etc., without administration
  3. Parties  
Parties
  4. Grant of relief in action begun by originating summons  
Grant of relief in action begun by originating summons
  5. Judgments and orders in administration actions  
Judgments and orders in administration actions
  6. Conduct of sale of trust property  
Conduct of sale of trust property
- ORDER 86 — ACTIONS FOR SPECIFIC PERFORMANCE, ETC. : SUMMARY  
JUDGMENT
1. Application by plaintiff for summary judgment  
Application by plaintiff for summary judgment
  2. Manner in which application under rule 1 must be made  
Manner in which application under rule 1 must be made
  3. Judgment for plaintiff  
Judgment for plaintiff
  4. Leave to defend  
Leave to defend
  5. Directions  
Directions
  6. Costs  
Costs
  7. Setting aside judgment  
Setting aside judgment
- ORDER 87 — DEBENTURE HOLDERS' ACTIONS : RECEIVER'S REGISTER
1. Receiver's register  
Receiver's register

2. Registration of transfers, etc.  
Registration of transfers, etc.
3. Application for rectification of receiver's register  
Application for rectification of receiver's register
4. Receiver's register evidence of transfers, etc.  
Receiver's register evidence of transfers, etc.
5. Proof of title of holder of bearer debenture, etc.  
Proof of title of holder of bearer debenture, etc.
6. Requirements in connection with payments  
Requirements in connection with payments

#### ORDER 88 — MORTGAGE ACTIONS

1. Application and interpretation  
Application and interpretation
2. Assignment of certain actions to Chancery Division  
Assignment of certain actions to Chancery Division
3. Commencement of action  
Commencement of action
4. Documents to be lodged on taking appointment for hearing  
Documents to be lodged on taking appointment for hearing
5. Claim for possession: non-appearance by a defendant  
Claim for possession: non-appearance by a defendant
6. Action in Chancery Division for possession or payment: evidence  
Action in Chancery Division for possession or payment: evidence
7. Action by writ: judgment in default  
Action by writ: judgment in default
8. Action for sale of mortgaged property : parties: disposal of surplus  
proceeds of sale: sale of unsold property

#### ORDER 89 — CO-ORDINATION OF EXERCISE OF JURISDICTION IN RELATION TO PERSONS UNDER DISABILITY

1. Application
2. Interpretation
3. Powers of seised judge
4. Report by seised judge
5. Powers of assigned judge
6. Disability to be indorsed on writ etc.
7. Transmission of order

#### ORDER 90 — PROCEEDINGS CONCERNING MINORS

1. Interpretation  
Interpretation
2. Assignment and commencement of proceedings  
Assignment and commencement of proceedings
3. Application to make minor a ward of court  
Application to make minor a ward of court
4. Enforcement of order  
Enforcement of order
5. When minor ceases to be ward of court  
When minor ceases to be ward of court
6. Applications under Guardianship of Infants Act 1886  
Applications under Guardianship of Infants Act 1886
7. Respondents to guardianship summons  
Respondents to guardianship summons
8. Guardianship proceedings may be in chambers  
Guardianship proceedings may be in chambers

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9. Jurisdiction of the Master  
Jurisdiction of the Master
- ORDER 91 — REVENUE PROCEEDINGS IN CHANCERY DIVISION
1. Assignment to Chancery Division, etc.  
Assignment to Chancery Division, etc.
  2. Appeal under paragraph 7 of Schedule 4 to the Finance Act 1975  
Appeal under paragraph 7 of Schedule 4 to the Finance Act 1975
  3. Case stated: notice to be given of certain matters  
Case stated: notice to be given of certain matters
  4. Appeals under ss. 53 and 100 of Taxes Management Act 1970 and paragraphs 32(3) and 35(2) of Schedule 4 to the Finance Act 1975  
Appeals under ss. 53 and 100 of Taxes Management Act 1970 and paragraphs 32(3) and 35(2) of Schedule 4 to the Finance Act 1975
- ORDER 92 — LODGMENT, INVESTMENT, ETC. OF FUNDS IN COURT :  
CHANCERY DIVISION
1. Payment into court by life assurance company  
Payment into court by life assurance company
  2. Payment into court under Trustee Act (Northern Ireland) 1958  
Payment into court under Trustee Act (Northern Ireland) 1958
  3. Payment into court under War Damage Act 1943  
Payment into court under War Damage Act 1943
  4. Notice of lodgment  
Notice of lodgment
  5. Applications with respect to funds in court  
Applications with respect to funds in court
- ORDER 93 — APPLICATIONS AND APPEALS TO THE HIGH COURT  
UNDER VARIOUS ENACTMENTS: CHANCERY DIVISION
1. Appeals, applications etc. under various enactments  
Appeals, applications etc. under various enactments
  2. Notice of petition under section 55 of National Debt Act 1870  
Notice of petition under section 55 of National Debt Act 1870
  3. Applications under section 57 of the Trustee Act (Northern Ireland) 1958  
Applications under section 57 of the Trustee Act (Northern Ireland) 1958
  4. Application under section 7(3) of Public Order (Amendment) Act (Northern Ireland) 1970  
Application under section 7(3) of Public Order (Amendment) Act (Northern Ireland) 1970
  5. Appeal under Article 18 of the Industrial Assurance (Northern Ireland) Order 1979  
Appeal under Article 18 of the Industrial Assurance (Northern Ireland) Order 1979
- ORDER 94
- ORDER 95 — THE BILLS OF SALE (IRELAND) ACTS 1879 AND 1883  
AND THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT  
(NORTHERN IRELAND) 1969
1. Rectification of register  
Rectification of register
  2. Entry of satisfaction  
Entry of satisfaction
  3. Restraining removal on sale of goods seized  
Restraining removal on sale of goods seized

4. Search of register
  5. Transmission of abstract etc. to county court
  6. Local registration
  7. Application under section 29(5) of the Industrial and Provident Societies Act (Northern Ireland) 1969  
Application under section 29(5) of the Industrial and Provident Societies Act (Northern Ireland) 1969
  8. Interpretation
- ORDER 96 — THE DEEDS OF ARRANGEMENT ACT 1887 AND THE DEEDS OF ARRANGEMENT AMENDMENT ACT 1890
1. Interpretation
  2. Affidavit to register deed
  3. Form of register under 1887 Act
  4. Indorsement of copy deed
  5. Certificate of registration
  6. Extracts from deed
  7. Copy of affidavit etc. under 1890 Act
  8. Form of register under 1890 Act
  9. Abstract of documents under 1890 Act
  10. Rectification of register
- ORDER 97 — NON-CONTENTIOUS PROBATE PROCEEDINGS
1. Interpretation  
Interpretation
  2. Applications for grants through solicitors  
Applications for grants through solicitors
  3. Personal Applications  
Personal Applications
  4. Duty of Master on receiving application for grant  
Duty of Master on receiving application for grant
  5. Oath in support of grant  
Oath in support of grant
  6. Grant in additional name  
Grant in additional name
  7. Marking of wills  
Marking of wills
  8. Engrossments for purposes of record  
Engrossments for purposes of record
  9. Evidence as to due execution of will  
Evidence as to due execution of will
  10. Execution of will of blind or illiterate testator  
Execution of will of blind or illiterate testator
  11. Evidence as to terms, conditions and date of execution of will  
Evidence as to terms, conditions and date of execution of will
  12. Attempted revocation of will  
Attempted revocation of will
  13. Affidavit as to due, execution, terms, etc. of will  
Affidavit as to due, execution, terms, etc. of will
  14. Wills not proved under section 9 of the Wills Act, 1837  
Wills not proved under section 9 of the Wills Act, 1837
  15. Wills of persons on military service and seamen  
Wills of persons on military service and seamen
  16. Wills of naval personnel  
Wills of naval personnel

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17. Evidence of foreign law  
Evidence of foreign law
18. Order of priority for grant where deceased left a will  
Order of priority for grant where deceased left a will
19. Grants to attesting witnesses, etc.  
Grants to attesting witnesses, etc.
20. Order of priority for grant in case of intestacy  
Order of priority for grant in case of intestacy
21. Right of assignee to a grant  
Right of assignee to a grant
22. Grants where two or more persons entitled in the same class  
Grants where two or more persons entitled in the same class
23. Exceptions to rules as to priority  
Exceptions to rules as to priority
24. Grants to persons having spes successionis  
Grants to persons having spes successionis
25. Grants where the deceased died domiciled outside Northern Ireland  
Grants where the deceased died domiciled outside Northern Ireland
26. Grants, to attorneys  
Grants, to attorneys
27. Grants on behalf of minors  
Grants on behalf of minors
28. Grants where minor co-executor  
Grants where minor co-executor
29. Grants in case of mental or physical incapacity  
Grants in case of mental or physical incapacity
30. Grants to trust corporations  
Grants to trust corporations
31. Grants to corporations other than trust corporations  
Grants to corporations other than trust corporations
32. Grants to nominess of certain legatees, devisees and creditors
33. Nil estate grants
34. Number of administrators
35. Administration de bonis non
36. Renunciation of probate and administration  
Renunciation of probate and administration
37. Notice to Crown of intended application for grant  
Notice to Crown of intended application for grant
38. Guarantee  
Guarantee
39. Resealing under Colonial Probate Acts, 1892 and 1927  
Resealing under Colonial Probate Acts, 1892 and 1927
40. Application for leave to sue on guarantee  
Application for leave to sue on guarantee
41. Amendment and revocation of grant  
Amendment and revocation of grant
42. Certificate of delivery of Inland Revenue affidavit  
Certificate of delivery of Inland Revenue affidavit
43. Caveats  
Caveats
44. Citation  
Citation
45. Citation to accept or refuse to take a grant



- Citation to accept or refuse to take a grant
- 46. Citation to propound a will  
Citation to propound a will
- 47. Citation to bring in a grant
- 48. Address for service  
Address for service
- 49. Application for order to bring in a will or to attend for examination  
Application for order to bring in a will or to attend for examination
- 50. Limited grants under section 1(2) of the Administration of Estates Act (Northern Ireland) 1955  
Limited grants under section 1(2) of the Administration of Estates Act (Northern Ireland) 1955
- 51. Grants of administration under discretionary powers of court, and grant ad colligenda bona  
Grants of administration under discretionary powers of court, and grant ad colligenda bona
- 52. Applications for leave to swear to death  
Applications for leave to swear to death
- 53. Grants in respect of nuncupative wills and of copies of wills  
Grants in respect of nuncupative wills and of copies of wills
- 54. Grants durante absentia  
Grants durante absentia
- 55. Power to require application to be made by summons or motion  
Power to require application to be made by summons or motion
- 56. Notice of motion
- 57. Application by summons  
Application by summons
- 58. Issue of copies of original wills and other documents  
Issue of copies of original wills and other documents
- 59. Attendances with documents
- 60. Notices of applications for grants made to a branch office  
Notices of applications for grants made to a branch office
- 61. List of grants made in a branch office  
List of grants made in a branch office
- 62. Amendment of grants in branch office
- 63. Order of priority for grant where the deceased died before the 1st day of January 1956  
Order of priority for grant where the deceased died before the 1st day of January 1956

ORDER 98 — THE LEGITIMACY DECLARATION ACT (IRELAND) 1868  
AND THE LEGITIMACY ACT (NORTHERN IRELAND) 1928

- 1. Interpretation
- 2. Heading of petition
- 3. Contents of petition
- 4. Affidavit in support of petition
- 5. Notice of filing of petition to be given to the Attorney General
- 6. Directions as to persons to be made respondents to the petition
- 7. Service of petition on respondent
- 8. Appearance by respondent
- 9. Answer by respondent
- 10. Answer by Attorney General
- 11. Consolidation of suits
- 12. Master's certificate before hearing

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13. Setting down for hearing
  14. Mode of making applications
- ORDER 99 — INHERITANCE (PROVISION FOR FAMILY AND DEPENDANTS) (NORTHERN IRELAND) ORDER 1979
1. Interpretation  
Interpretation
  2. Assignment to Chancery Division  
Assignment to Chancery Division
  3. Application for financial provision  
Application for financial provision
  4. Powers of Court as to parties  
Powers of Court as to parties
  5. Affidavit in answer  
Affidavit in answer
  6. Separate representation  
Separate representation
  7. Endorsement of memorandum on grant  
Endorsement of memorandum on grant
  8. Disposal of proceedings in chambers  
Disposal of proceedings in chambers
  9. Subsequent applications in proceedings under Article 3  
Subsequent applications in proceedings under Article 3
  10. Remittal to county court  
Remittal to county court
- ORDER 100 — THE TRADE MARKS ACT 1938
1. Assignment to Chancery Division  
Assignment to Chancery Division
  2. Appeals and applications under the Trade Marks Act 1938  
Appeals and applications under the Trade Marks Act 1938
  3. Proceedings for infringement of registered trade mark; validity of registration disputed  
Proceedings for infringement of registered trade mark; validity of registration disputed
- ORDER 101 — THE PENSIONS APPEAL TRIBUNALS ACT 1943
1. Interpretation
  2. Application for leave to appeal  
Application for leave to appeal
  3. Appeal  
Appeal
- ORDER 102 — THE COMPANIES ACTS (NORTHERN IRELAND) 1960 AND 1978
1. Definitions  
Definitions
  2. Applications to be made by originating summons  
Applications to be made by originating summons
  3. Applications to be made by originating motion  
Applications to be made by originating motion
  4. Applications to be made by petition  
Applications to be made by petition
  5. Assignment, commencement and entitlement of proceedings; filing of affidavits  
Assignment, commencement and entitlement of proceedings; filing of affidavits

6. Summons for directions  
Summons for directions
7. Inquiry as to debts: company to make list of creditors  
Inquiry as to debts: company to make list of creditors
8. Inspection of list of creditors  
Inspection of list of creditors
9. Notice to creditors  
Notice to creditors
10. Advertisement of petition and list of creditors  
Advertisement of petition and list of creditors
11. Affidavit as to claims made by creditors  
Affidavit as to claims made by creditors
12. Adjudication of disputed claims  
Adjudication of disputed claims
13. Certifying lists of creditors entitled to object to reduction  
Certifying lists of creditors entitled to object to reduction
14. Evidence of consent of creditor  
Evidence of consent of creditor
15. Time, etc. of hearing of petition for confirmation or reduction  
Time, etc. of hearing of petition for confirmation or reduction
16. Restriction on taking effect of order under section 57 of the Act  
Restriction on taking effect of order under section 57 of the Act

ORDER 103 — THE PATENTS ACTS 1949 TO 1961

1. Definitions  
Definitions
2. Assignment of proceedings  
Assignment of proceedings
3. Advertisement of petition for extension of patent under section 23 of the Act  
Advertisement of petition for extension of patent under section 23 of the Act
4. Presentation of petition, etc.  
Presentation of petition, etc.
5. Notice of intention to oppose petition under section 23  
Notice of intention to oppose petition under section 23
6. Directions by Court in proceedings by petition under section 23  
Directions by Court in proceedings by petition under section 23
7. Lodging of accounts, particulars of objections, etc.  
Lodging of accounts, particulars of objections, etc.
8. Setting down petition under section 23  
Setting down petition under section 23
9. Application by petition for extension of patent under section 24 of the Act  
Application by petition for extension of patent under section 24 of the Act
10. Application by summons for extension of patent under section 24  
Application by summons for extension of patent under section 24
11. Advertisement of application for extension of patent under section 24  
Advertisement of application for extension of patent under section 24
12. Opposition to summons under section 24  
Opposition to summons under section 24

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13. Directions by Court  
Directions by Court
  14. Power to dispense with procedural requirements  
Power to dispense with procedural requirements
  15. Provisions where Comptroller appears on hearing  
Provisions where Comptroller appears on hearing
  16. Reference to Court of application to Comptroller under section 24  
Reference to Court of application to Comptroller under section 24
- ORDER 104 — THE PATENTS ACTS 1949 TO 1961 AND 1977;THE REGISTERED DESIGNS ACTS 1949 to 1971;THE DEFENCE CONTRACTS ACT 1958
1. Definitions  
Definitions
  2. Assignment of proceedings  
Assignment of proceedings
  3. Application for leave to amend specification under section 30 of the 1949 Act or section 75 of the 1977 Act  
Application for leave to amend specification under section 30 of the 1949 Act or section 75 of the 1977 Act
  4. Application for revocation of patent  
Application for revocation of patent
  5. Action for infringement  
Action for infringement
  6. Objection to validity of patent  
Objection to validity of patent
  7. Amendment of particulars  
Amendment of particulars
  8. Further particulars  
Further particulars
  9. Restrictions on admission of evidence  
Restrictions on admission of evidence
  10. Proceedings for infringement or revocation: summons for directions  
Proceedings for infringement or revocation: summons for directions
  11. Appointment of a scientific adviser  
Appointment of a scientific adviser
  12. Determination of question or application where Comptroller declines to deal with it  
Determination of question or application where Comptroller declines to deal with it
  13. Application by employee for compensation under section 40 of the 1977 Act  
Application by employee for compensation under section 40 of the 1977 Act
  14. Communication of information to European Patent Office  
Communication of information to European Patent Office
  15. Proceedings for determination of certain disputes  
Proceedings for determination of certain disputes
  16. Application for rectification of register of patents or designs  
Application for rectification of register of patents or designs
  17. Counterclaim for rectification of register of designs  
Counterclaim for rectification of register of designs

ORDER 105 — REGISTRATION OF MAINTENANCE ORDERS: ATTACHMENT  
OF EARNINGS ORDERS FOR THE ENFORCEMENT OF  
MAINTENANCE ORDERS

I. INTERPRETATION

1. Definitions

II. PROCEEDINGS UNDER THE ACT OF 1920

2. Registration, etc., of orders under Act of 1920  
Registration, etc., of orders under Act of 1920

III. PROCEEDINGS UNDER PART II OF THE  
ACT OF 1950 AND PART I OF THE ACT OF 1958

3. Interpretation of Part III
4. Registration, etc., of Northern Ireland Order under the Act of 1950
5. Re-registration of a Northern Ireland Order in a Magistrates' Court under Part 1 of the Act of 1958
6. Discharge or variation of registered order
7. Cancellation of registration
8. Registration, etc. of English and Scottish Orders  
Registration, etc. of English and Scottish Orders
9. Inspection of register  
Inspection of register

IV. REGISTRATION, ETC. OF CERTAIN ORDERS UNDER THE ACT OF 1966

10. Interpretation of Part IV  
Interpretation of Part IV
11. Application for registration  
Application for registration
12. Registration of order made by a court of summary jurisdiction  
Registration of order made by a court of summary jurisdiction
13. Variation or discharge of registered order  
Variation or discharge of registered order
14. Appeal from variation, etc. of order by court of summary jurisdiction  
Appeal from variation, etc. of order by court of summary jurisdiction
15. Cancellation of registration  
Cancellation of registration

V. PROCEEDINGS UNDER THE ACT OF 1972

16. Interpretation of Part V  
Interpretation of Part V
17. Application for transmission of maintenance order to reciprocating country

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- Application for transmission of maintenance order to reciprocating country
- 18. Certification of evidence given on provisional order  
Certification of evidence given on provisional order
- 19. Confirmation of provisional order  
Confirmation of provisional order
- 20. Taking of evidence for court in reciprocating country  
Taking of evidence for court in reciprocating country
- 21. Notification of variation or revocation  
Notification of variation or revocation
- 22. Transmission of documents  
Transmission of documents
- 23. Application of Part V to the Republic of Ireland  
Application of Part V to the Republic of Ireland

#### VI. ATTACHMENT OF EARNINGS ORDERS UNDER THE JUDGMENTS (ENFORCEMENT) ACT (NORTHERN IRELAND) 1969

- 24. Interpretation
- 25. Application for attachment of earnings order by the person entitled to payments  
Application for attachment of earnings order by the person entitled to payments
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Application for attachment of earnings order by person liable to make payments
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Form and service of order
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Notice of cessation of order
- 32. Discharge or variation by court of own motion  
Discharge or variation by court of own motion
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Application to determine whether payments are earnings
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Jurisdiction under Part V of the Order exercisable by judge in chambers, etc.
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Power to order solicitor to deliver cash account, etc.
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Appearance to originating summons unnecessary
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6. Application under rule 3 and Schedule 1 to the Order
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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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