

Given under the Official Seal of the Ministry of Labour for Northern Ireland, this 23rd day of December, in the year one thousand nine hundred and thirty-one.

(L.S.)

John S. Godden,
Assistant Secretary, Ministry of
Labour for Northern Ireland.

Given under the Official Seal of the Ministry of Finance for Northern Ireland, this 23rd day of December, in the year one thousand nine hundred and thirty-one.

(L.S.)

W. B. Spender,
Secretary, Ministry of Finance
for Northern Ireland.

DAIRY PRODUCE : MARKETING OF.

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THE MARKETING OF DAIRY PRODUCE ACT (NORTHERN IRELAND),
1929, COUNTY COURT RULES, 1931, DATED THE 15TH DAY
OF JULY, 1931.

1931. No. 83.

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

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

in such Courts, and may, with the like concurrence and consent, alter, reduce or increase the same from time to time, and may also, with the like concurrence and consent, alter the fees and Stamp Duties taken in those Courts and substitute other fees for the same :

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

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

And Whereas the Lord Chief Justice of Northern Ireland duly nominated His Honour Herbert Marshall Thompson, Recorder of Belfast and County Court Judge and Chairman of Antrim, and His Honour Arthur Henry Bates, County Court Judge and Chairman of the County of Down, as the chairmen with whose concurrence such rules and orders may be made in pursuance of the provisions of the said Act :

And Whereas by an Act 20 Geo. 5, C. 14, intituled the Marketing of Dairy Produce Act (Northern Ireland), 1929, Section 15, it is enacted that any person aggrieved by a decision of the Ministry of Agriculture—

- (a) refusing to register or renew the registration of any premises under Part I. of that Act ;
- (b) cancelling the registration of any premises under Part I. of the said Act ;

may appeal to the county court where the premises concerned are situate, and that rules of court regulating the procedure and costs of such appeal may be made by the authority having power to make rules and orders for regulating the practice of civil bill courts.

Now I, The Right Honourable William Moore, Lord Chief Justice of Northern Ireland, with the concurrence of the said Judges as testified by their signatures hereto, in pursuance of the powers given by the said recited Acts, and of all other powers thereunto us enabling, do hereby make and certify the rules and forms hereinafter set forth as rules and forms to be used and be in force in proceedings in the County Court under the Marketing of Dairy Produce Act (Northern Ireland), 1929, and with the consent

of the Ministry of Finance do hereby fix the fees set out in Schedule II. hereto as the fees to be taken in the Civil Bill Courts in Northern Ireland under the said Act.

Dated this 15th day of July, 1931.

William Moore.

Lord Chief Justice.

H. M. Thompson.

A. H. Bates.

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

In witness whereof the Official Seal of the Ministry has been affixed hereto this 24th day of July, 1931, in the presence of

(L.S.)

W. B. Spender,
Secretary, Ministry of Finance.

THE MARKETING OF DAIRY PRODUCE ACT (NORTHERN IRELAND),
1929, COUNTY COURT RULES, 1931.

DATED THIS 15TH DAY OF JULY, 1931.

1.—(a) The following Rules shall have effect under the Marketing of Dairy Produce Act (Northern Ireland), 1929 (in these Rules referred to as "the Act"), with reference to any matter under the Act coming before the County Court.

(b) These Rules may be cited as the Marketing of Dairy Produce (County Court) Rules (Northern Ireland), 1931, and shall come into operation on the 1st day of September, 1931.

(c) Expressions used in these Rules shall have the same meaning as the same expressions used in the Act.

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

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

(f) In the construction of these Rules the Act shall mean the Marketing of Dairy Produce Act (Northern Ireland), 1929, save where otherwise stated.

2. Any person who is aggrieved by a decision of the Ministry of Agriculture (hereinafter referred to as the "Ministry") as in Section 15, Sub-section 1, of the Marketing of Dairy Produce

Act (Northern Ireland), 1929, mentioned, and who desires to appeal to the County Court, shall within one calendar month from the date of the notification in writing to him of the decision of the Ministry serve upon the Ministry a notice of appeal, which shall be signed by the appellant or a solicitor acting on his behalf and shall be served upon the Ministry by leaving a copy thereof during office hours at the Principal Office of the Ministry of Agriculture, Belfast, or by sending the same by prepaid registered post to the Ministry at the address aforesaid.

3. All appeals under the Act shall be heard at the Equity sittings of the County Court of each Division of the County, or of the Recorder's Court for a County Borough.

4. Every appeal shall be by notice in the Form (1) in Schedule I. to these Rules. Every such notice shall be lodged with the Clerk of the Crown and Peace for the County, or City, where the premises concerned are situate, at least ten clear days before the sessions at which the appeal is to be heard with the endorsement of service thereon.

5. Save where otherwise provided, notices may be served by registered letter or in any of the modes in which an ordinary or an equity civil bill may be served, provided, however, that service need not be effected by a civil bill officer.

6. Where not otherwise expressly provided by these Rules, the existing practice of the County Courts in equity suits shall apply to all appeals to the County Court under the Act.

7. The Judge may make such order as to costs, court fees and witnesses' expenses as he shall think fit, and may measure such costs and expenses or direct them to be taxed according to Schedule II. hereto, provided that in all cases in which, having regard to the work actually performed, or the peculiar difficulty or importance of the case, the allowances for fees, costs and expenses shall appear inadequate, the Judge may make a special order allowing such fees, costs and expenses as he may think just and reasonable.

8. There shall be payable in respect of every proceeding under the Act the court fees specified in Schedule II. hereto.

9. The order of the Judge shall be in the Form (2) of Schedule I., and in any case where forms are not included in the Schedule, the forms in use in the County Court may be adapted with such variations as may be necessary.

SCHEDULE I.

FORMS FOR USE IN APPEALS UNDER THE MARKETING OF DAIRY PRODUCE ACT
(NORTHERN IRELAND), 1929.(1) *Form of Notice of Appeal.*

In the matter of the Marketing of Dairy Produce Act (Northern Ireland), 1929,
Section 15, Sub-section 1, by _____ of _____ in the
County of (*state name, address and description of appellant*) under the said
Sub-section.

County of _____

Division of _____

TAKE NOTICE that I feel aggrieved by the decision of the Ministry of Agriculture
dated the _____ day of _____, 19____, whereby (*set
out briefly the substance of the decision appealed from*). I hereby appeal from the
said decision to the County Court Judge of _____ at the Equity
Sessions to be held at _____ for the division and County above
named on the _____ day of _____, 19____.

Dated the _____ day of _____, 19____.

Signed by (*on behalf of*) the Appellant._____
(*Solicitor for*) Appellant.

To the Clerk of the Crown and Peace
and the Ministry of Agriculture.

(2) *Form of Order of the Court on the Hearing of an Appeal.*

(Title as in Notice of Appeal.)

Whereas by a decision of the Ministry of Agriculture, dated the _____ day
of _____, 19____, it was decided that

And Whereas the appellant, being a person aggrieved by such decision, duly
appealed against the said decision to this Court.

The Court having examined into the appeal doth

_____ and doth order
that _____ do recover against
the sum of £ _____ costs and £ _____ witnesses expenses
(*or as may be*).

Dated the _____ day of _____, 19____.

County Court Judge._____
Clerk of the Crown and Peace._____
Solicitor for _____

SCHEDULE II.

COURT FEES PAYABLE (COUNTY COURT STAMPS).

						£	s.	d.
Filing Notice of Appeal	..	..	..	..	..	0	5	0
On any Final Order	..	..	..	..	..	0	10	0

Costs.

						£	s.	d.
Solicitor	..	..	For taking instructions for appeal or opposing appeal, advising thereon, taking instructions for hearing, advising proofs and attending and instructing Counsel when employed	..	..	1	10	0
Solicitor	..	..	Drawing notice of appeal and copy for service	..	..	0	15	0
Solicitor	..	..	Service of notice of appeal	..	..	0	2	6
Solicitor	..	..	Entering appeal, attending the hearing with or without Counsel and for all other charges save brief for Counsel up to the order and taking out same	..	..	3	0	0
Solicitor	..	..	Brief for Counsel	..	..	0	15	0
Counsel	..	..	Fee on hearing	..	..	3	3	0

Rules.

THE MARKETING OF DAIRY PRODUCE (AMENDMENT) RULES (NORTHERN IRELAND), 1931, DATED 25TH AUGUST, 1931, MADE BY THE MINISTRY OF AGRICULTURE FOR NORTHERN IRELAND UNDER THE MARKETING OF DAIRY PRODUCE ACT (NORTHERN IRELAND), 1929.

1931. No. 94.

The Ministry of Agriculture for Northern Ireland in exercise of the powers conferred on it by The Marketing of Dairy Produce Act (Northern Ireland), 1929, and of any other power in that behalf enabling it hereby makes the following Rules, that is to say:—

I. *Short Title.*

These Rules shall be cited as The Marketing of Dairy Produce (Amendment) Rules (Northern Ireland), 1931.

II. *Marking of Packages.*

Article X of the Marketing of Dairy Produce Rules (Northern Ireland), 1930, shall have effect as if:—

(a) at the end of paragraph 1 (d) thereof there were added the following:—

“ or of three figures indicating the month and the day of the month ” ;

(b) at the end of paragraph 1 thereof there were added the following:—