

IRELAND), 1925, AND BY THE EXCHEQUER AND FINANCIAL PROVISIONS (No. 2) ACT (NORTHERN IRELAND), 1936, OF THE RATES AT WHICH CHARGES ARE TO BE IMPOSED IN RESPECT OF LICENCES FOR THE SALE OF INTOXICATING LIQUOR BY RETAIL TO BE GRANTED OR RENEWED DURING THE YEAR ENDING 30TH SEPTEMBER, 1942.

1941. No. 126.

In pursuance of sub-sections (3) (b) and (4) of Section 3 of the Intoxicating Liquor Act (Northern Ireland), 1923, as amended by the Intoxicating Liquor (Finance) Act (Northern Ireland), 1925, and by the Exchequer and Financial Provisions (No. 2) Act (Northern Ireland), 1936, the Ministry of Finance hereby determines that the rates at which charges are to be levied in respect of all licences for the sale of intoxicating liquor by retail granted or renewed during the year ending 30th September, 1942, shall be twelve shillings and six pence for each pound sterling of the maximum rates of charge authorised by sub-section (1) of Section 1 of the Intoxicating Liquor (Finance) Act (Northern Ireland), 1925.

Given under the Seal of the Ministry of Finance, this Twenty-seventh day of June, 1941.

(L.S.)

C. H. Petherick,

Assistant Secretary.

LIABILITIES (WAR-TIME ADJUSTMENT), 1941.

Rules.

Dated the 31st day of December, 1941.

1941. No. 210.

I, JAMES ANDREWS, Lord Chief Justice of Northern Ireland, in exercise of the powers conferred upon me by section 16 of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941, and all other powers enabling me in this behalf, do hereby make the following general Rules :—

PART I.

INDIVIDUALS AND FIRMS.

Scheme of Arrangement.

1.—(1) An application by an individual or a firm (hereinafter called the debtor) to a liabilities adjustment officer (hereinafter called an officer) under section 1 (1) of the Act shall be in Form 1 and shall be delivered at or sent by prepaid post to the office of the officer (hereinafter called the adjustment office). Application to adjustment officer. Form 1.

(2) The registrar or an officer may supply a copy of such form to any person on request.

Notice of
interview.
Form 2.

2.—On receipt of the debtor's application, the officer shall give notice to the debtor in Form 2 appointing a time and place for an interview at which the debtor may attend for the purpose of supplying information to the officer as to his affairs.

Interview.

3.—At the interview the debtor shall give particulars of his accrued debts and the name and address of the creditor to whom every such debt is due, and also particulars of his future liabilities in respect of obligations already incurred and the name and address of the person to whom every such liability will become due (hereinafter referred to as a future creditor) whether he is also a creditor in respect of an accrued debt or not, and shall give such other information as to his affairs, in the form of a statement of affairs or otherwise, as the officer may require, and may submit to the officer a proposal for an equitable and reasonable scheme of arrangement with his creditors.

Notice
refusing
application.

4.—If, after considering the information given to him by the debtor and the debtor's proposal for a scheme of arrangement (if any), the officer considers that his services cannot be of any use, or that the debtor is not in serious financial difficulties owing to war circumstances, or that such proposal is not equitable and reasonable, he shall so inform the debtor in writing and shall not proceed further with the application, and shall give notice of his decision to any court which to his knowledge has stayed proceedings against the debtor under section 20 (2) of the Act.

Where
protection
order
needed.

5.—If, after considering the information given to him by the debtor and the debtor's proposal for a scheme of arrangement (if any), the officer considers that his services may be of use, and that the debtor is in serious financial difficulties owing to war circumstances and that such proposal is equitable and reasonable, but that it is necessary, in order to preserve the debtor's assets or for any other reason, that a protection order should be made forthwith, he shall advise the debtor to apply to the court for the adjustment and settlement of his affairs under section 3 of the Act and for a protection order, and may assist the debtor to make the application.

Notice to
creditors.
Form 12.

6.—(1) If the officer considers that a protection order is unnecessary, he shall communicate with the persons named by the debtor as his creditors or future creditors, and shall send to every such person a summary of the debtor's affairs and of his proposal for a scheme of arrangement (if any), and notice in writing of the date fixed under section 17 of the Act as the material date for determining what debts are provable, and shall require every such creditor to prove his debt, and, in the case of a secured creditor, to give particulars of the security

and to state whether, for the purposes of a scheme, he wishes to surrender his security and prove for the debt, or to value his security and prove for any balance of the debt, or to rely on his security without proving for any part of the debt.

(2) The proof of debts shall be conducted as nearly as may be in accordance with the practice of the King's Bench Division (Bankruptcy) in arrangement matters.

(3) The proof of a debt shall be in Form 13.

Form 13.

7.—(1) After receiving the creditors' proofs, the officer may communicate further with the debtor or any of the creditors or future creditors, if he thinks it may be useful to do so in order to arrive at a settlement, and may, at whatever stage he thinks fit, summon a meeting of the creditors who have proved debts and any secured creditors and future creditors at such time and place as may seem to him to be convenient, and shall give to the debtor and to every such creditor such notice of the meeting as he thinks fit and shall send to every such creditor a form of proxy in Form 15.

Meeting
of
creditors.

Form 14.

Form 15.

(2) The officer shall preside at the meeting and may adjourn the meeting from time to time as he thinks fit.

(3) A creditor may be represented at the meeting by a proxy duly authorised by him in writing for the purpose.

(4) The officer may act as proxy for a creditor if expressly authorised in writing to do so.

8.—(1) If the debtor and all the creditors who have proved debts assent to a scheme, or if the debtor and the majority in number and value of such creditors assent to a scheme, and signify their assent in writing by signing the scheme or otherwise, and if the other party to any lease, mortgage or other contract, the terms of which would be varied by the scheme, assents thereto and signifies his assent in like manner, the officer shall, if the scheme appears to him to be equitable and reasonable, approve, sign and date the scheme and serve notice of his approval in Form 16 on the debtor and on every such creditor and party, stating the terms of the scheme and whether it has been assented to by the debtor and all such creditors or by the debtor and the majority in number and value of such creditors and whether it has been assented to by the other party to any such lease, mortgage or contract.

Approval
of
scheme.

Form 16.

(2) The officer shall deposit the scheme at the court office together with the written assent of any assenting creditor or party who has not signed the scheme, and a copy of the scheme and a copy of any such written assent may at the discretion of the officer be made and kept at the adjustment office.

(3) The scheme shall be open to inspection at the court office during such hours as the office is open to the public and the registrar

shall supply a copy of the scheme to any person who applies therefor on payment of the prescribed fee.

Appeal by
dissenting
creditor.

9.—(1) Where a creditor who has not assented to a scheme desires to appeal against the approval thereof, the appellant shall, within 21 days after the service on him of a notice of the approval of the scheme, file in the court office in duplicate a request for the entry of the appeal containing sufficient particulars to identify the scheme and a statement of the grounds of the appeal.

(2) The registrar shall serve a copy of the request on the officer, who shall be the only respondent, unless the court otherwise orders.

(3) Subject as aforesaid, the practice in relation to an appeal under Order LXXXVIII, Rule 3, of the Rules of the Supreme Court shall apply to any such appeal, with the necessary modifications.

(4) Pending the hearing of the appeal, the court may, on the application of the appellant, make an order suspending all or any of the provisions of the scheme if the court thinks fit.

Extending,
revoking
and en-
forcing
a scheme.

10.—(1) Subject to the provisions of this rule, any application to the court under sub-sections (5), (6) or (7) of section 1 of the Act shall be regulated so far as may be by the rules and practice of the King's Bench Division (Bankruptcy).

(2) The officer and the debtor shall be respondents to an application by a creditor under any of the said sub-sections and the other creditors shall not be made respondents, unless the court otherwise orders.

(3) The debtor shall be the respondent to an application by the officer under any of the said sub-sections and the creditors shall not be made respondents, unless the court otherwise orders.

(4) The officer shall be the respondent to an application by the debtor under the said sub-section (7) and the creditors shall not be made respondents, unless the court otherwise orders.

(5) Where the court makes an order under section 1 of the Act, the registrar shall forthwith serve a copy of the order on the officer, and thereupon the officer shall serve a copy thereof on every person affected by the scheme; and, if the scheme is varied or extended, the registrar shall make the appropriate alteration in the scheme.

Adjustment Order.

Application
for adjust-
ment and
protection
order.

11.—An application for a liabilities adjustment order (hereinafter called an adjustment order) may include an application for a protection order.

Debtor's
application.
Form 5.

12.—(1) An application by a debtor for an adjustment order shall be in Form 5 and no person shall be named as respondent thereto.

(2) Where the debtor has made an application to an officer and has been advised by him to apply to the court for an adjustment order and a protection order, the officer shall make a report to the court stating the grounds for his advice.

(3) The application shall be filed in the court office together with the report of the officer (if any) and, in the case of an individual, an affidavit in Form 8, or in the case of a firm, an affidavit in respect of the firm in Form 9 and an affidavit in respect of every partner in Form 8, and a copy of every such affidavit.

(4) The affidavit shall state that the applicant has or has not (as the case may be) made an application to an officer.

(5) On the filing of the application, the registrar shall enter it in the books of the court and shall fix a time for the hearing thereof and shall give the applicant due notice of such hearing.

13.—(1) An application by a creditor for an adjustment order shall be in Form 7, and the debtor shall be the respondent to the application.

Creditor's application.
Form 7.

(2) The application shall be filed in the court office together with an affidavit in Form 11 and two copies of both documents.

Form 11.

(3) On the filing of the application, the registrar shall enter it in the books of the court and shall fix a time for the hearing and give the applicant due notice of such hearing, and serve on the debtor a copy of the application and affidavit and a notice in Form 17.

Form 17.

14.—(1) The first hearing of an application for an adjustment order (hereinafter called the preliminary hearing) shall be in private.

Preliminary hearing.

(2) At the preliminary hearing the judge may make an order dismissing the application, or where the application is not dismissed—

(a) may, if satisfied that a *prima facie* case has been made out as to the matters specified in paragraph (a) or paragraph (b) of subsection (1) of section 3 of the Act, make a protection order, and

(b) whether a protection order has been made or not, may refer the debtor's affairs or any question in the proceedings to an officer or to the registrar for investigation and report, or give such other directions as the judge may think fit as to the conduct of the proceedings, and adjourn the hearing.

15.—(1) The jurisdiction of the judge at the preliminary hearing may, with the leave of the judge, given specially in any particular case or class of cases or generally, be exercised by the registrar, except that the registrar shall not have jurisdiction to make an adjustment order.

Jurisdiction of registrar.

(2) Where the registrar makes an order dismissing the application for an adjustment order or refusing to make a protection order, the order may, on application, be set aside by the judge who may make such order in substitution therefor as he thinks fit.

(3) Where the applicant is a creditor, the application to set aside the order of the registrar shall be made on not less than 4 clear days' notice, and the notice shall be filed in the court office and served on the debtor within 7 days of the day on which the order was made.

Interlocutory application for protection order.

16.—(1) An application for a protection order, if not included in an application for an adjustment order, may be made at any time in the course of the proceedings. Unless otherwise ordered, no affidavit shall be required in the first instance.

(2) Where the applicant for the protection order is the debtor, the application shall be made *ex parte* unless the court otherwise orders.

(3) Where the applicant is a creditor, the application shall be made on not less than 4 clear days' notice to the debtor.

(4) The application shall be heard by the judge, or, with the leave of the judge, by the registrar.

Reference to officer.

17.—(1) An officer to whom a debtor's affairs have been referred by the court, shall, unless the debtor has already given him sufficient information in proceedings under section 1 of the Act, give notice to the debtor in Form 2 appointing a time and place for an interview at which the debtor shall attend for the purpose of supplying information as to his affairs.

(2) At the interview the debtor shall give the particulars specified in Rule 3 of these Rules, and such other information as to his affairs, in the form of a statement of affairs or otherwise, as the officer may require, and may submit a proposal for an equitable and reasonable arrangement with his creditors.

Form 12.
Form 13.

(3) When the officer has considered the information given him, by the debtor and the debtor's proposal (if any), he shall communicate with the persons named by the debtor as his creditors or future creditors and shall send them a summary of the debtor's affairs and of his proposal (if any), and shall require every such creditor to prove his debt in the manner provided by Rule 6 of these Rules, and every secured creditor to give the information required by that Rule.

(4) The officer shall examine every proof submitted to him and the grounds of the debt and shall, in writing, admit or reject it in whole or in part or require further evidence in support of it.

(5) If the officer rejects a proof, he shall state, in writing, to the creditor the grounds of his rejection, and a creditor may within 21 days of receipt of notice of such rejection appeal to the court against the decision of the officer in respect of any proof. The provisions of Rule 9 (3) of these Rules shall apply to any such appeal.

(6) The officer may, if he considers it desirable to do so, summon a meeting or meetings of creditors and future creditors, and the provisions of Rule 7 of these Rules shall apply to any such meeting.

the court, may take all reasonable steps to ensure that the adjustment order is carried out.

(4) On any failure by the debtor to carry out the terms of an adjustment order, any person interested may apply *ex parte* to the court for relief, and without prejudice to his right so to apply, he may report such failure to the officer.

(5) During the period for which an adjustment order is in force, the debtor shall render to the court or to the officer such reports and accounts as may be directed by the court or, subject to any directions of the court, by the officer.

Application
for discharge
or to vary
or revoke
adjustment
order.

23.—(1) An application for an order of discharge or to vary or revoke an adjustment order shall be made on notice in writing filed in the court office, stating the grounds of the application.

(2) On the filing of the application the registrar shall fix a day for the hearing of the application and shall give not less than 10 clear days' notice thereof to every person other than the applicant who is either the debtor or a creditor or future creditor, and to any other person whose attendance the court considers desirable; provided that if the officer has been concerned in the matter, the registrar shall immediately after fixing such day give notice thereof to the officer, who shall thereupon give notice to all other persons concerned as aforesaid.

(3) In the case of an application by a debtor for an order of discharge, the officer shall, not less than 4 clear days before the hearing, file in the court office and serve on the debtor a copy of a report stating whether the debtor has paid the proved debts in full or to such extent as the order specified and whether the debtor has otherwise complied with the order and whether the debtor still retains possession of any property held on a lease or subject to a mortgage or is still liable in respect of any loan or other contract, being a lease, mortgage or contract the repayment or performance of which is provided for in the order.

(4) An application to vary or revoke an adjustment order may include an application to vary or revoke the protection order (if any) made in the matter.

Registration.

Registration
of schemes
and orders.

24.—(1) The registrar shall keep a register of schemes of arrangement approved and of protection orders and adjustment orders made under the Act (hereinafter called the adjustment register).

(2) The officer shall, on approving a scheme of arrangement, forthwith supply to the registrar the following particulars :—

- (a) the date on which the scheme was approved ;
- (b) the name, address and description of the debtor.

(3) When a protection order has been made, the registrar shall forthwith give notice of the order to any court in which proceedings against the debtor are known to be pending, and, if the order is revoked, shall give notice to that court of the revocation.

(4) Notice of every protection order and of every adjustment order and of every order revoking a protection order or an adjustment order, stating the name, address and description of the debtor, the date of the order, and the record number of the matter, shall be published in the *Belfast Gazette*, and on the making of any such order the registrar shall cause those particulars forthwith to be inserted in the said *Gazette*.

(5) The registrar shall register the schemes of arrangement, protection orders and adjustment orders under the names of the respective debtors in alphabetical order and shall enter in respect of every such scheme the particulars supplied by the officer in pursuance of paragraph (2) hereof and, in respect of every protection order and adjustment order, the particulars published in the *Belfast Gazette*.

(6) Where the court makes an order revoking a scheme under section 1 of the Act, the registrar shall vacate the entry of the scheme in the adjustment register.

(7) Any person may search the index kept under this Rule and may inspect any protection order and any adjustment order and any order varying or revoking a protection order or an adjustment order during such hours as the court office is open to the public on payment of the prescribed fee, and application for an official search in any such index may be made by prepaid post addressed to the registrar, and accompanied by a stamped and addressed envelope and the prescribed fee.

PART II.

COMPANIES.

Scheme of Arrangement.

25.—(1) Rules 1 to 7 and Rule 8 (1) of these Rules shall apply to an application by a company to an officer with the modifications prescribed in this Part of these Rules. Scheme of arrangement.

(2) The application to the officer shall be in Form 3, which shall be signed by at least one director and the secretary of the company, and the notice of a time and place for an interview shall be in Form 4, the interview may be attended by any officer of the company having the authority in writing of the company for the purpose. Form 3.
Form 4.

(3) Where an officer has approved a scheme of arrangement in respect of a company, he shall send the scheme and the written assents of any creditors who have not signed the scheme to the registrar of companies, and may in his discretion retain a copy of the scheme and

copies of any such written assents in the adjustment office, and the registrar of companies shall file the scheme and any such written assents in the file of the company.

Adjustment Order.

Application
to court for
adjustment
and protec-
tion order.

26.—An application by a company for an adjustment order may include an application for a protection order.

Debtor's
application.
Form 6.

27.—(1) An application by a debtor company for an adjustment order shall be made on an *ex parte* originating summons in Form 6.

Form 10.

(2) The application shall be supported by an affidavit in Form 10, made by one of the officers of the company.

(3) The affidavit shall state that the company has or has not (as the case may be) made an application to an officer, and shall show that paragraph (a) or paragraph (b) of sub-section (1) of section 3 of the Act applies to the company, and shall exhibit a statement of affairs.

(4) Where the company has made an application to an officer and has been advised by him to apply to the court for an adjustment order and a protection order, the officer shall make a report to the court stating the grounds for his advice.

(5) The applicant shall lodge the affidavit with the report of the officer (if any) in the court office not later than the day preceding the hearing of such summons.

Creditor's
application.

28.—(1) An application by a creditor for an adjustment order providing for the adjustment and settlement of the affairs of the company shall be by originating summons and the company shall be the respondent.

(2) The respondent shall not be required to enter an appearance.

(3) The originating summons shall be supported by affidavit showing that the creditor is entitled by the provisions of sub-section (1) of section 3 of the Act to make the application, and stating the grounds on which the creditor believes that the provisions of that sub-section apply to the respondent company.

Reference
to officer.

29.—(1) Where the court or judge has referred the affairs of a company to an officer or the registrar, the provisions of these Rules relating to a reference of the affairs of a debtor to an officer shall apply with the necessary modifications.

(2) When the officer has completed his investigation of the company's affairs, he shall prepare a report and shall send the report to the court office, and the debtor and any creditor who has proved a debt and any secured creditor may, on application to the registrar, inspect the report and may obtain a copy thereof on payment of the prescribed fee.

(3) The report shall be *prima facie* evidence of the statements therein contained.

(4) The power of reference mentioned at (1) of this Rule shall be without prejudice to any power of the court or judge to refer the proceedings to any other person.

30.—(1) Where a protection order or an adjustment order or an order varying or revoking a protection order or an adjustment order is made, the registrar shall cause notice thereof to be published in the *Belfast Gazette*, and shall send an office copy thereof to the registrar of companies who shall file the copy in the file of the company, and the order may be inspected in the court office by any person on payment of the prescribed fee. Orders to be gazetted.

(2) Where an order is made extending or revoking or varying a scheme of arrangement under section 1 of the Act, the registrar shall send an office copy thereof to the registrar of companies who shall file the copy in the file of the company.

PART III.

GENERAL.

31.—Section 251 of the Irish Bankrupt and Insolvent Act, 1857, (which relates to mutual credit and set-off) shall apply in proceedings under the Act where a protection order has been made. Mutual credit and set-off.

32.—It shall be a sufficient valuation of a future or contingent liability to prove the relevant particulars thereof without calculating or estimating the present value : Valuation of future liability.

provided that if the court or the officer is of opinion that a calculation or estimate of the present value is required for making or administering a scheme of arrangement or an adjustment order or for determining whether there is sufficient assent to a scheme of arrangement under section 1 of the Act, the court or the officer may, at any stage of the proceedings, direct the creditor to calculate or estimate the present value of the liability as if the proceedings were in bankruptcy.

33.—(1) Where a secured creditor claims that the value of his security is less than the debt secured and desires to prove for the balance, he shall submit with his proof an affidavit sworn by a qualified valuer stating what in the opinion of the deponent is the price which the property would realise if it were put up for sale by public auction without reserve at the time when the proof is submitted. Valuation of security.

(2) An officer or the registrar, where the debtor's affairs have been referred to him, may accept the price so proved as the value of the property for the purpose of his report or may make such further investigation into the question of value, by obtaining an independent opinion from a qualified valuer or otherwise, as he thinks fit.

(3) Where the secured creditor has been paid a dividend in respect of the balance for which he has proved, and subsequently the court allows the valuation to be amended, the court shall give such directions as are necessary in order to adjust the dividends as between the secured creditor and the other creditors, so however that the other creditors shall not be required to repay any amounts already paid.

(4) Where the secured creditor has been paid any such dividend as aforesaid, and subsequently realises the security for an amount greater than the valuation, he shall pay into court the difference between the dividend paid and the dividend which would have been paid to him if, when he proved for the balance, the property had been valued at the amount realised, and the court shall order the money paid into court to be paid out for distribution to the other creditors in such proportions as may be just.

Disclaimer. 34.—Where an adjustment order provides for the disclaimer of any property of the debtor

(a) the disclaimer shall operate to determine the rights, interests and liabilities of the debtor in the property disclaimed as from such date as may be specified in the order, and, if the property is vested in a trustee, shall also discharge the trustee as from the specified date ;

(b) the practice of the King's Bench Division (Bankruptcy) shall with the necessary modifications apply to any case where the title to property disclaimed is registered under the Local Registration of Title (Ireland) Act, 1891, or where such property is subject to any enactment relating to the Registry of Deeds, Northern Ireland.

Postpone-
ment of
claims.

35.—(1) Where the husband or wife of the debtor is one of the creditors or future creditors in proceedings under section 3 of the Act, the court may, at any stage of the proceedings, with or without an application for the purpose, give such directions with regard to the postponement of the claim of the husband or wife to a dividend, by applying the provisions of section 9 of the Bankruptcy Amendment Act (Northern Ireland), 1929, or otherwise, as the court thinks fit.

(2) Where a person who has lent money to the debtor upon such a contract as is mentioned in section 2 (3) (d) of the Partnership Act, 1890, or has sold a goodwill to the debtor in consideration of a share of the profits of the business, is one of the creditors or future creditors in proceedings under section 3 of the Act, the provisions of section 3 of the Partnership Act, 1890, shall apply.

Power of
subordinate
officer.

36.—Any of the functions of an officer may, subject to any direction of the Lord Chief Justice, be performed by a subordinate officer authorised for the purpose by the officer.

37.—Proceedings before an officer shall be in private.

Proceedings to be private.

38.—For the purpose of any of his powers or duties under the Act or these Rules, an officer may administer oaths and take affidavits.

Power to administer oaths.

39.—(1) Provision shall be made in any scheme of arrangement for the payment or repayment of any special expenses incurred by the officer in relation thereto except so far as he may think it reasonable that on the ground of hardship they should be remitted.

Fees of officer.

(2) Where an officer, having regard to the amount or value of the interests dealt with by a scheme of arrangement and the benefit of the scheme to the parties, thinks that it would be reasonable that a fee or percentage should be charged, he may assess such fees or percentages as he thinks reasonable in the circumstances and make provision in the scheme for the manner in which any such fee or percentage is to be taken.

(3) In this Rule "special expenses" mean expenses other than the general expenses which an officer is authorised to incur without debiting them to any particular case.

(4) Any fees or special expenses so charged or assessed shall be brought to account in such manner as the Lord Chief Justice with the concurrence of the Ministry may direct.

40.—Any notice or other document required or authorised by these Rules to be served on any person may, except where it is otherwise expressly provided, be served in accordance with the rules and practice of the court or by sending it by prepaid registered post to that person at his usual or last known place of abode or of business.

Mode of service of documents.

41.—(1) Where the court refers the affairs of a debtor to an officer or the registrar for investigation and report, the officer or the registrar shall, unless the court otherwise directs, include in his report a recommendation as to the fees or percentages which, in view of the amount or value of the interests dealt with in the proceedings and the benefit of the proceedings to the parties thereto, it would, in his opinion, be reasonable to charge.

Recommendations to court as to fees.

(2) In any such report the officer or the registrar may include a recommendation as to the manner in which payment of the fees and percentages recommended should be provided for in the adjustment order.

42.—Every officer shall enter into security by recognizance in such sum and in such form and manner and on such condition as the Lord Chief Justice may direct, subject to the concurrence of the Ministry as to the amount of such sum; and the amount of any premium payable to a duly approved guarantee society in respect of any such recognizance shall be part of the authorised general expenses of such officer.

Officers' security.

Bank
accounts.

- 43.—Every officer shall cause to be opened in the books of the Bank
- i. an account to be called the “ Liabilities Adjustment Fees Account ” and
 - ii. an account to be called the “ Liabilities Adjustment General Account ” and
 - iii. such other account or accounts in respect of the estate of any debtor or otherwise as the officer may with the approval of the judge at chambers think proper.

Lodgment
of monies.

44.—(1) All fees or percentages charged or assessed by an officer under Rule 39 of these Rules shall be lodged in the Bank to the credit of the above-mentioned Liabilities Adjustment Fees Account.

(2) Unless the court or a judge otherwise orders

- i. all fees or percentages ordered to be paid under Rule 41 of these Rules shall be likewise lodged to the credit of the said Liabilities Adjustment Fees Account and
- ii. (a) all sums of money directed to be paid by the debtor and
(b) the proceeds of the realization of such part of the debtor's property as is ordered to be sold and
(c) any part of a debtor's property payable to an officer as receiver or otherwise shall be lodged in the Bank to the credit of the appropriate account.

(3) Any person who pursuant to any order of the court or a judge shall receive or have control over any monies the property of a debtor or of any creditor shall pay or apply such monies in such manner as may be directed by such order.

Authority
to pay.

45.—No payment or transfer shall be made out of any such account in the Bank except upon a draft or authority duly signed by the officer and countersigned by the registrar or in his absence by such officer of the Supreme Court as the Lord Chief Justice may appoint for that purpose.

Bankruptcy
practice
applied.

46.—Subject to the Act and these Rules and to any order of the court or a judge and to any direction which the Lord Chief Justice may from time to time think fit to give, the accounts of every officer shall be kept and verified as nearly as may be in accordance with the rules and practice of the King's Bench Division (Bankruptcy).

Costs under
section 1.

47.—(1) A debtor or creditor or future creditor who attends before an officer in proceedings under section 1 of the Act may, with the leave of the officer, be represented by solicitor or counsel, but no provision shall be made in the scheme of arrangement for the payment to any such creditor of any costs out of the debtor's assets.

(2) Where a solicitor acts for any person in respect of proceedings before an officer under section 1 of the Act, Appendix S, Part V., of the Rules of the Supreme Court shall apply to the costs as between solicitor and client, with the necessary modifications.

48.—(1) In an application for an adjustment order, where the applicant is a creditor, he may be represented by solicitor or counsel, and if an adjustment order is made, provision may be made therein for the payment of the applicant's costs. ^{Costs of proceedings in court.}

(2) Where the applicant is the debtor and any creditor is represented by solicitor or counsel, no provision shall be made for the payment of that creditor's costs out of the debtor's assets unless the court in special circumstances otherwise orders.

(3) Where the costs of a creditor are to be paid out of the debtor's assets, the amount of the costs shall, if practicable, be ascertained before the terms of the adjustment order are finally settled.

(4) Where the court directs that the costs of any person shall be paid by any other person or out of the debtor's assets, the court may either assess the amount of the costs by fixing a lump sum or a percentage of assets or otherwise or may direct that the costs be taxed.

(5) Any costs awarded by the court or a judge in any proceedings under the Act shall unless otherwise ordered by such court or judge be taxed by the Taxing Master who on such taxation shall, subject to the order, have regard to the scale of costs for the time being in force in relation to proceedings in the King's Bench Division (Bankruptcy), or proceedings under the Companies Act (Northern Ireland), 1932, as the nature of the case may require.

(6) In exercising its or his discretion as to costs, the court or judge may have regard to the conduct of the debtor or of any of the creditors in proceedings before the officer under section 1 of the Act.

49.—The jurisdiction of the court under the Act may be exercised by a judge at chambers. ^{Judge at Chambers.}

50.—The forms in the Appendix to these Rules shall be used wherever applicable with such variations as circumstances may require. ^{Forms.}

51.—Subject to the provisions of the Act and these Rules, the Rules of the Supreme Court and in particular Order LIX A., Rule 10 thereof shall apply to any proceeding in court under the Act. ^{Application of Rules of Court.}

52.—Any person may search for the name of a debtor in the adjustment register on payment of a fee of one shilling, and an application may be made for a search in the adjustment register. ^{Searches in adjustment register.}

for an official search may be made by prepaid post addressed to the registrar and accompanied by a stamped and addressed envelope and the said fee.

Interpre-
ation.

53.—In these Rules, unless the context otherwise requires—

“The Act” means the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941;

A Form referred to by number means the Form so numbered in the Appendix to these Rules;

“Bank” means the Belfast Banking Company Limited;

“Court” means (a) in relation to proceedings in respect of the affairs of an individual or a firm, the judge to whom the business of the King's Bench Division (Bankruptcy) has been assigned
and

(b) in relation to proceedings in respect of the affairs of a private company, the Chancery Judge;

“Court office” means the office of the Registrar in Bankruptcy;

“Registrar” means the Registrar in Bankruptcy;

“Judge” means, as the context may require, either the court as above defined or the registrar duly exercising the authority thereof;

“Ministry” means the Ministry of Finance for Northern Ireland;

“Prescribed fee” means the fee prescribed by the authority having power to prescribe fees;

“Registrar of Companies” means the Registrar of Companies for Northern Ireland;

“Rules of the Supreme Court” means the Rules of the Supreme Court (Northern Ireland), 1936, as amended.

(2) The Interpretation Act, 1889, shall apply for the interpretation of these Rules as it applies for the interpretation of an Act of Parliament.

Citation and
Commence-
ment.

54.—These Rules may be cited as the Liabilities (War-Time Adjustment) Rules (Northern Ireland), 1941, and shall come into operation on the 1st day of January, 1942.

Dated the 31st day of December, 1941.

James Andrews,

Lord Chief Justice of Northern Ireland.

APPENDIX.

1.

APPLICATION FOR THE SERVICES OF AN ADJUSTMENT OFFICER BY AN
INDIVIDUAL OR A FIRM (Rule 1).

Application No. _____ of 194 .

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941.

I/We (*full names of applicant(s)*) of (*address of applicant(s) followed by occupation*) state that I am (we are) in serious financial difficulties owing to war circumstances, and I/we apply for the services of a Liabilities Adjustment Officer for advice and assistance in enabling me/us to arrive at an equitable and reasonable scheme of arrangement with my/our Creditors.

Dated this _____ day of _____, 194 .

Signed.....
Applicant(s).

To the Liabilities Adjustment Officer,
(address).

2.

NOTICE TO INDIVIDUAL OR FIRM TO ATTEND UPON OFFICER (Rule 2).

Application No. _____ of 194 .

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941,
and

In the Matter of the Arrangement or Adjustment of the Affairs of (*name and address of debtor*).

To (*name and address of applicant(s)*). You having filed an application for the services of a Liabilities Adjustment Officer to advise and assist you in arriving at an equitable and reasonable scheme of arrangement with your creditors (*or You (in a creditor's application substitute name of creditor)*) having applied to the Court for the adjustment and settlement of your affairs under the above-mentioned Act, and the Court having referred your affairs to me for investigation and report).

TAKE NOTICE that I have appointed the following time and place for an interview :—

Time :— _____ day, the _____ day of _____, 194 ,
at _____ o'clock in the _____ noon.

Place :—

You should attend at the above-mentioned time and place and should be prepared to furnish me with full information as to your affairs, and you should produce all your bank pass-books or statements and all other books of account, invoices, and legal and other documents relating to your affairs.

Dated this _____ day of _____, 194 .

Liabilities Adjustment Officer
(Address).

3.

APPLICATION FOR THE SERVICES OF AN ADJUSTMENT OFFICER BY A COMPANY
(Rule 25 (2)).

Application No. _____ of 194 .

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941.

We _____ and _____ of _____
being a Director and the Secretary of _____

Limited, whose registered office is situate at _____ in the County of _____, being a private company within the meaning of the Companies Act (Northern Ireland), 1932, state that Limited, is in serious financial difficulties owing to war circumstances and on behalf of the said Company we hereby apply for the services of a Liabilities Adjustment Officer to enable the Company to arrive at an equitable and reasonable scheme of arrangement with its creditors in pursuance of a special resolution, a copy of which is annexed hereto.

Dated this _____ day of _____, 194 .

Signed.....
Director.

.....
Secretary.

To the Liabilities Adjustment Officer,
(Address).

4.

NOTICE TO COMPANY TO ATTEND UPON OFFICER (Rule 25 (2)).

Application No. _____, of 194 .

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941,
and

In the Matter of the Arrangement or Adjustment of the affairs of
Limited, of _____ in the County of _____,

To _____, Limited, of _____ in the County of _____ whose registered office is situate at _____ of _____ . An application having been filed by the above-mentioned Company for the services of a Liabilities Adjustment Officer to advise and assist it in arriving at an equitable and reasonable scheme of arrangement with the creditors of the said Company (or An application having been made to the Court by the above-mentioned Company (or as the case may be) for the adjustment and settlement of the affairs of the said Company and the Court having referred the affairs of the said Company to me for investigation and report)

TAKE NOTICE that I have appointed the following time and place for an interview :—

Time :— _____ day, the _____ day of _____, 194 ,
at _____ o'clock in the _____ noon.

Place :—
An officer of the Company having the authority of the Company for the purpose should attend at the above-mentioned time and place and should be prepared to furnish me with full information as to the Company's affairs and should produce all the Company's bank pass books or statements and all other books of account, invoices, and legal and other documents relating to the Company's affairs.

Dated this _____ day of _____, 194 .

Liabilities Adjustment Officer.
(Address).

5.

APPLICATION BY A DEBTOR (INDIVIDUAL OR FIRM) FOR AN ADJUSTMENT ORDER
(Rule 12 (1)).

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND.
KING'S BENCH DIVISION.

No. _____

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941,
and
In the Matter of the Adjustment of the affairs of (name and address of debtor).

I/We (full names and address and occupation of applicant(s)) apply to the court for a

Liabilities Adjustment Order for the adjustment and settlement of my/our affairs under the above-mentioned Act (*and if applied for* and for a Protection Order) on the grounds stated in my/our affidavit filed herewith.

It is not intended to serve any person with notice of this application.

My/Our address for service is (*state applicant's address for service*).

Dated this day of , 194 .

Signed.....
Applicant(s).

To the Registrar,
Room 13, Royal Courts of Justice (Ulster), Belfast.

6.

APPLICATION BY A DEBTOR (COMPANY) FOR AN ADJUSTMENT ORDER
(*Rule 27 (1)*).

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND.
CHANCERY DIVISION.

No.

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941,
and

In the Matter of the Adjustment of the affairs of
Limited, whose registered office is situated at
in the County of

LET all parties concerned attend the Judge at Chambers at the Royal Courts of Justice (Ulster), Belfast, at the time specified in the margin hereof, on the hearing of an application by and of being a Director and the Secretary of the above-mentioned Limited, which is a private company within the meaning of the Companies Act (Northern Ireland), 1932, in pursuance of a special resolution, a copy of which is annexed hereto, for the adjustment and settlement of the affairs of the said company under the above-mentioned Act (*add, if applied for*, and for a Protection Order) on the grounds stated in the affidavit of filed herewith.
Dated the day of , 194 .

This Summons is taken out by
of (Solicitor for) the applicant.

To the Registrar,
Room 13, Royal Courts of Justice (Ulster), Belfast.

7.

APPLICATION BY A CREDITOR FOR AN ADJUSTMENT ORDER (*Rule 13 (1)*).

(*Heading as in Form 5*).

I/We (*full names of applicant(s)*) of (*address and occupation of applicant(s)*) apply to the Court for a Liabilities Adjustment Order for the adjustment and settlement of the affairs of (*full names of debtor*) of (*address and occupation of debtor*) (*add, if applied for*, and for a Protection Order) on the grounds stated in the affidavit of filed herewith.

My/Our address for service is :—(*Applicant's address for service*).

Dated this day of , 194 .

Signed.....
(Applicant(s)).

To the Registrar,
Room 13, Royal Courts of Justice (Ulster), Belfast.

8.

FORM OF AFFIDAVIT BY DEBTOR (INDIVIDUAL) (Rule 12 (3)).

(Heading as in Form 5).

I, (full names of deponent) of (residence and occupation of deponent) make oath and say as follows :—

1. Owing to war circumstances I am unable to pay my accrued debts (or I will be unable after payment of my accrued debts to meet, as they fall due, my future liabilities in respect of obligations already incurred) (or I am in such a position that if I were required to pay my accrued debts and to meet as they fall due my future liabilities in respect of obligations already incurred, I should have no reasonable prospect of preserving or recovering my business or I should lose my means of livelihood).

2. I have (not) made an application to a Liabilities Adjustment Officer (at.....).

3. The only persons to whom I am indebted are those persons whose names are set out in the list marked attached hereto in the sums set against their names.

4. My only future liabilities in respect of obligations already incurred are those specified in the list marked attached hereto.

(5. Judgment has been obtained against me in the action specified in the list marked attached hereto and in no other action.)

(6. The only actions pending against me are those specified in the list marked attached hereto).

(7. I carry on business (carried on business up to the day of , 194) as at in the County of).

(8. I am employed by of in the County of at as and my total (weekly), (monthly), (yearly) earnings are £).

9. I have no assets other than those specified in the list marked attached hereto.

Sworn at in the County of this day of , 194 .

Before me

(Justice of the Peace)
(Liabilities Adjustment Officer)
(Commissioner for Oaths)

This affidavit is filed on behalf of.....

ATTACHMENT 1 TO FORM 8.

This is the List marked referred to in paragraph of the affidavit of 194 sworn before me this day of ,

(Justice of the Peace)
(Liabilities Adjustment Officer)
(Commissioner for Oaths).

List of Persons to whom I am indebted.

Name of Creditor	Address of Creditor	Description of Creditor	Amount of Debt.			Nature of Debt.
			£	s.	d.	

Signed

Date

ATTACHMENT 2 TO FORM 8.

This is the List marked *(continue as in Attachment 1 above)*;

List of Future Liabilities in respect of obligations already incurred.

Name of Creditor	Address of Creditor	Amounts to become due			Dates when amounts will become due	Nature of Instrument or Judgment, if any, under which liability will arise.
		£	s.	d.		

Signed

Date

194 .

ATTACHMENT 3 TO FORM 8.

This is the List marked *(continue as in Attachment 1 above)*.

List of Actions in which Judgment has been obtained against me.

Title of Action	Court	Date of Judgment	Amount of Judgment			Amount Outstanding		
			£	s.	d.	£	s.	d.

Signed

Date

194 .

ATTACHMENT 4 TO FORM 8:

This is the List marked *(continue as in Attachment 1 above)*.

List of Actions which are Pending against me.

Title of Action	Court	Amount of claim			Nature of claim	Date of Hearing
		£	s.	d.		

Signed

Date

194 .

LIABILITIES (WAR-TIME ADJUSTMENT), 1941.

ATTACHMENT 5 TO FORM 8.

This is the List marked (*continue as in Attachment 1 above*).

List of Assets.

(Including Cash in hand and at Bankers, Stock in Trade, Furniture, Policies, Stocks and Shares and all other property.)

Description	Amount or value		
	£	s.	d.

Signed _____

Date _____

194 .

9.

FORM OF AFFIDAVIT BY DEBTOR (FIRM) (*Rule 12 (3)*).

(*Heading as in Form 5*).

I, (*full names of deponent*) of (*residence and occupation of deponent*) make oath and say as follows :—

1. I am a partner in the above-named firm and am duly authorised by the other partners in the firm to make this affidavit and the facts stated in this affidavit are within my own knowledge.

2. Owing to war circumstances, both the said firm and all the partners are unable to pay their accrued debts (*or will be unable after payment of their accrued debts to meet, as they fall due, their future liabilities in respect of obligations already incurred*). (*or are in such a position that if they were required to pay their accrued debts and to meet as they fall due their future liabilities in respect of obligations already incurred, they would have no reasonable prospect of preserving or recovering their business*).

3. The said firm have (not) made an application to a Liabilities Adjustment Officer (at.....) for advice and assistance.

4. The only persons to whom the said firm are indebted are those persons whose names are set out in the list marked _____ attached hereto in the sums set against their names.

5. The said firm's only future liabilities in respect of obligations already incurred are those specified in the list marked _____ attached hereto.

(6. Judgment has been obtained against the said firm in the actions specified in the list marked _____ attached hereto and in no other action).

(7. The only actions pending against the said firm are those specified in the list marked _____ attached hereto).

8. The said firm carries on business (carried on business up to the _____ day of _____ 194) as _____ at _____ in the County of _____

9. The said firm have no assets other than those specified in the list marked attached hereto.

Sworn at (*follow Form 8 to end*).

(*Attachments as in Form 8 adapted for a firm*).

10.

FORM OF AFFIDAVIT BY A DEBTOR (COMPANY) (Rule 27 (2)).

(Heading as in Form 6.)

I, (full names of deponent) of (residence and occupation of deponent) make oath and say as follows :—

1. I am in the employ of the above-mentioned Company and I am duly authorised under the seal of the said Company to make this affidavit on its behalf.

2. The Registered Office of the said Company is situate at (address of registered Office).

3. The share capital of the said Company paid up or credited as paid up does not exceed £.....

4. Owing to war circumstances, the said Company is unable to pay its accrued debts (or will be unable after payment of its accrued debts to meet, as they fall due, its future liabilities in respect of obligations already incurred) (or is in such a position that if it were required to pay its accrued debts and to meet as they fall due its future liabilities in respect of obligations already incurred, it would have no reasonable prospect of preserving or recovering its business).

5. The said Company has (not) made an application to a Liabilities Adjustment Officer (at.....): for advice and assistance.

6. The only persons to whom the said Company is indebted are those persons whose names are set out in the list marked attached hereto in the sums set against their names.

7. The only future liabilities of the said Company in respect of obligations already incurred are those specified in the list marked attached hereto.

8. (Judgment has been obtained against the said Company in the actions specified in the list marked attached hereto and in no other action).

9. The only actions pending against the said Company are those specified in the list marked attached hereto).

10. The said Company carries on business (carried on business up to the day of 194) as at in the county of).

11. The said Company has no assets other than those specified in the list marked attached hereto.

12. The said Company has issued debentures specified in the list marked attached hereto. (A Receiver was appointed by the Debenture Holders on the day of 194).

Sworn at (follow Form 8 to end).

(Attachments as in Form 8 adapted for a Company).

11.

FORM OF AFFIDAVIT BY A CREDITOR (Rule 13 (2)).

(Heading as in Form 5.)

I, (full names of deponent) of (residence and occupation of deponent) make oath and say as follows :—

1. The above-named (full names of debtor) is indebted to me (or to (full names, address and description of applicant) or, if the applicant is a company, name of company and address of registered office) in the sum of £ for (state consideration) which I believe to be a provable debt within the meaning of the Act.

2. I am in the employ of the said (applicant), and I am duly authorised by him (or, under the seal of the said company) to make this affidavit on his (its) behalf and the facts stated in this affidavit are within my own knowledge.

3. I am (or the said company is) prevented by reason of the provisions of Regulation four (or paragraph (2) of Regulation six) of the Defence (Evacuated Areas) Regulations, 1940, from commencing or prosecuting any proceedings (or exercising any

remedy) against the said (*debtor*) in respect of the debt above-mentioned. (The said (*debtor*) has been granted and is still enjoying relief under Section one of the Courts (Emergency Powers) Act, 1939, by virtue of a judgment (order) of the Court in an action or matter intituled _____, an office copy of which judgment (*or order*) is annexed hereto and marked _____).

4. (*State any facts known to the deponent which tend to show that the debtor is or will be unable to pay his or its debts.*)

5. On the grounds stated above I verily believe that owing to war circumstances the said (*debtor*) is unable to pay his (its) accrued debts *or* will be unable after payment of his (its) accrued debts to meet, as they fall due, his (its) future liabilities in respect of obligations already incurred) (is in such a position that if he (the said Company) were required to pay his (its) accrued debts and to meet, as they fall due, his (its) future liabilities in respect of obligations already incurred he (the said Company) would have no reasonable prospect of preserving or recovering his (its) business (or would lose his means of livelihood)).

Sworn at (*follow Form 8 to end*). _____

12.

NOTICE BY OFFICER REQUIRING A CREDITOR TO PROVE HIS DEBT

(*Rules 6 (1), 17 (3)*).

(*Heading as in Form 2.*)

I hereby give you notice that (*full names of debtor*) of (*address and description of debtor*) has filed an application with me in which he states that he is in serious financial difficulties owing to war circumstances and that he requires the services of a Liabilities Adjustment Officer to advise and assist him in arriving at an equitable and reasonable scheme of arrangement with his creditors, (*or* has applied to the Court for the adjustment and settlement of his affairs and the said Court has referred his affairs to me for investigation and report).

The said (*debtor*) has scheduled you in his list of creditors and states that he owes you the sum of £ _____. If you desire to prove this debt, you should do so in the enclosed Form 13 which should be completed and returned to me by _____.

A summary of the affairs of the said (*debtor*) is attached hereto. If you are a secured creditor you should state whether for the purpose of a scheme of arrangement of the affairs of the said (*debtor*) you wish to surrender your security and prove for your debt, or to value your security and prove for any balance of your debt, or to rely on your security without proving for any part of your debt.

(The said (*debtor*) proposes a scheme of arrangement, the terms of which are set out in the accompanying document. When you return the enclosed Form 13 will you inform me whether you agree to the scheme of arrangement proposed by the said (*debtor*) or, if you do not, what amendment of it you suggest?)

(*Add, if proceedings are under section 1 only* The date fixed under section 17 of the Act as the material date for determining what debts are provable is the day of _____ 194) (*or, if proceedings are under Section 3* A protection order was made by the said Court on the _____ day of _____ 194).

Dated this _____ day of _____ 194 .

Liabilities Adjustment Officer.
(Address).

To _____
of _____

(See Back.)

BACK :

(*Set out the following provisions of the Act :—Section 1 (1) (2), Proviso (a) and (c) to Section 1 (2), Proviso to Section 1 (4), Section 3 (1) and (6)*).

13.

PROOF OF DEBT (Rules 6 (3), 17 (3)).

(Heading as in Form 2.)

I, (full names of deponent) of (address and occupation of deponent) make oath and say :—

(1) That I am in the employ of the under-mentioned Creditor and that I am duly authorised by him to make this affidavit, and that it is within my own knowledge that the debt hereinafter deposed to was incurred, and for the consideration stated, and that such debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied (or That I am duly authorised under the seal of the Company hereinafter named, to make this proof of debt on its behalf).

(2) That the said (full names of debtor) is justly and truly indebted to me (or to (full names, address and description of creditor)) in the sum of pounds shillings and pence for (state consideration) as shown by the account endorsed hereon (or hereto annexed marked "A") for which sum I say that I have not (or the above-named creditor has not) nor has any person by my (or his) order to my knowledge or belief for my (or his) use had or received any manner of satisfaction or security whatsoever, save and except the following (state particulars of all securities held).

(3) That if a scheme of arrangement of the affairs of the said (debtor) can be arranged, but not otherwise, I wish (or the said (creditor) wishes) :—

- (a) to surrender my (his) said security and prove for the debt
- (or (b) to value my (his) security and prove for the balance of the debt)
- (or (c) to rely on my (his) security without proving for any part of the debt.)

Sworn at (as in Form 8).

Particulars of Account referred to on the other side.

(Credit should be given for contra accounts.)

Date	Consideration	Amount			Remarks. Any vouchers by which the account can be substantiated should be set out here.
		£	s.	d.	

Signature of deponent.....

NOTE—If space is not sufficient the particulars should be annexed, but where the particulars are on a separate sheet of paper the same must be marked by the person before whom the affidavit is sworn thus :—Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941. This is the account marked "A" referred to in the annexed proof of debt made by this day of 1941 which affidavit is sworn before me

Signed,

(Justice of the Peace)
(Commissioner for Oaths)
(Liabilities Adjustment Officer).

This proof must be properly completed and lodged with the Liabilities Adjustment Officer by the date and time named in Form No. 12.

14.

NOTICE TO A CREDITOR OF A MEETING OF CREDITORS (Rule 7 (1)).

(Heading as in Form 2.)

I hereby give you notice that a meeting of the creditors of the above-named will be held at _____ on _____, the _____ day of _____ 194 _____ at _____ o'clock in the _____ noon to consider a scheme proposed by the said _____ for the settlement of his affairs, the terms of which scheme (have already been communicated to you) (or are set out in the accompanying document). You may vote by proxy at this meeting and I enclose a form of proxy which, if it is to be used, must be completed and returned to me by _____

(NOTE:—Under Rule 7 (4) you may nominate the Liabilities Adjustment Officer as your proxy.)

Dated this _____ day of _____ 194 _____

Liabilities Adjustment Officer.
(Address).

To.....

of.....

15.

FORM OF PROXY (Rule 7. (1)).

(Heading as in Form 2.)

I, (full names of creditor) of (address and description of creditor) a creditor of the above-named (full names of debtor) hereby authorise (full names, address and occupation of the person authorised) to be my proxy and to represent me at the meeting of creditors to be held on the _____ day of _____, 194 _____, or at any adjournment thereof.

Dated this _____ day of _____, 194 _____

Signed _____

To the Liabilities Adjustment Officer
(Address).

(This form may be adapted for use where the creditor is a company and may be signed by the Secretary of the Company.)

16.

NOTICE OF APPROVAL OF A SCHEME OF ARRANGEMENT BY OFFICER (Rule 8 (1)).

Application No. _____ of 194 _____

In the Matter of the Liabilities (War-Time Adjustment) Act (Northern Ireland), 1941,
and
In the Matter of the Arrangement of the affairs of (name and address of debtor.)

WHEREAS a scheme of arrangement with his creditors, the terms of which are set out in the accompanying document, has been assented to by the said (and all his creditors) (or and a majority in number and in value of his creditors) who

have provable debts and to whom notice has been given in accordance with Rules made under the Act (and by the other party (parties) to a lease (or mortgage or contract) to which the said (*débtor*) is a party, the terms of which have been varied by the scheme).

AND WHEREAS it appears to me that the scheme is equitable and reasonable, TAKE NOTICE that I approve the said scheme.

Dated this day of , 194 .

Liabilities Adjustment Officer.
(Address).

(To the creditors.)

17.

NOTICE OF HEARING OF APPLICATION BY CREDITOR FOR ADJUSTMENT ORDER
(Rule 13 (3)).

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND.

..... DIVISION.

(Remainder of heading as in Form 16.)

TAKE NOTICE that this application will be heard by the Court on day, the day of 19 , at the hour of in the noon, and that if you do not attend at the time and place mentioned, such order will be made in your absence as the Court thinks just.

(Signed)

Registrar.

LOCAL GOVERNMENT.

Belfast County Borough Council.

City Surveyor's Staff Qualifications.

1941. No. 136.

TO THE COUNCIL OF THE BELFAST COUNTY BOROUGH; AND
TO ALL OTHERS WHOM IT MAY CONCERN:

The Ministry of Home Affairs for Northern Ireland (hereinafter referred to as "the Ministry") in exercise of the powers vested in it by Section 18 of the Local Government Act (Northern Ireland), 1934, and of every other power enabling it in that behalf hereby prescribes with respect to the appointments hereinafter specified in the City Surveyor's Department of the Belfast County Borough Council, as follows, that is to say:—

- (1) No person shall be qualified to be appointed to any of the offices in the schedule to this Order unless he is in possession of the qualifications specified in the said schedule and in addition thereto satisfies the Ministry that:—