

Appeals.

RULES, DATED 18TH DECEMBER, 1940, MADE BY THE MINISTRY OF PUBLIC SECURITY UNDER SUB-SECTION ONE OF SECTION SIXTY-ONE OF THE CIVIL DEFENCE ACT (NORTHERN IRELAND), 1939.

1940. No. 164.

WHEREAS by sub-section one of Section 61 of the Civil Defence Act (Northern Ireland), 1939 (hereinafter referred to as "the Act"), it is provided that the Ministry of Home Affairs may make rules as respects the appeals to it for which provision is made by the Act;

AND WHEREAS the Governor of Northern Ireland has, in pursuance of powers vested in him by sub-section three of Section one of the Ministries Act (Northern Ireland), 1940, made an Order transferring to the Ministry of Public Security (hereinafter referred to as "the Ministry") the powers and duties of the Ministry of Home Affairs under the Civil Defence Acts (Northern Ireland), 1938 and 1939;

NOW THEREFORE the Ministry of Public Security, in pursuance of all the powers enabling it in that behalf, hereby makes the following Rules:—

1.—Any person who appeals under Section three, fifteen or twenty-one of the Act to the Ministry shall appeal by sending to the Ministry a written notice of appeal stating generally the nature of the designation or notice appealed against and the grounds of his appeal.

2.—The appellant shall, as soon as may be after appealing, give notice that he has appealed

(a) in the case of an appeal under Section three of the Act, to the local authority who have made the designation appealed against, and

(b) in the case of an appeal under Section fifteen of the Act, to the occupier of the factory premises or the owner of the commercial building who has by notice under Section thirteen of the Act stated his intention to execute works under the power conferred upon him by sub-section (1) of Section thirteen, or, as the case may be, to the occupier of the factory premises or the owner of the commercial building upon whom a notice under sub-section (1) of Section fourteen of the Act has been served by the Ministry or a local authority.

3.—The Ministry, unless on consideration of the notice of appeal together with any further information it may have obtained from the appellant it decides to dismiss the appeal on the ground that no case for further enquiry is disclosed, shall give an opportunity of making observations thereon—

- (a) in the case of an appeal under Section three of the Act, to the local authority who have made the designation ; or
- (b) in the case of an appeal under Section fifteen of the Act, to the occupier of the factory premises or the owner of the commercial building who has by notice under Section thirteen of the Act stated his intention to execute works under the power conferred upon him by sub-section (1) of Section thirteen or, as the case may be, to the local authority by whom the notice under sub-section (1) of Section fourteen of the Act has been served ; or
- (c) in the case of an appeal under Section twenty-one of the Act, to the local authority by whom the notice has been served.

4.—The Ministry may, if it thinks fit, before deciding the appeal, appoint some person or persons to hold an inquiry and report to it.

5.—(1) A person appointed under Rule 4 hereof may take evidence on oath and may for that purpose administer oaths, and may by summons require any person to attend at such time and place as is set forth in the summons to give evidence or to produce any documents in his custody or under his control which relate to the matters raised by the appeal :

Provided that no person shall be required, in obedience to such summons, to attend or to produce documents unless the necessary expenses of such attendance and production, if any, are paid or tendered to him.

(2) Every person who refuses or wilfully neglects to attend in obedience to a summons issued under this Rule or to give evidence or refuses to produce any document which he may be required to produce by summons under this Rule for the purposes of any appeal to which these Rules relate, shall be liable on summary conviction to a fine not exceeding twenty pounds.

6.—(1) Where any inquiry is held under Rule 4 hereof, the costs incurred by the Ministry in relation to that inquiry (including such reasonable sum not exceeding five guineas a day as it may determine for the services of any person appointed under Rule 4 hereof) shall, if the Ministry thinks fit so to direct, be paid by such party to the inquiry as the Ministry may direct and the Ministry may certify the amount of the costs so incurred and any amount so certified and directed by the Ministry to be paid by any person shall be recoverable from that person either as a debt to the Crown or by the Ministry summarily as a civil debt.

(2) The Ministry may, if it thinks fit, make orders as to the costs of the parties at any such inquiry and as to the parties, by whom

such costs shall be paid, and every such order may be made a rule of the High Court on the application of any party named in the order.

⁽¹⁹²¹⁾ 7.—The Interpretation Act, 1921, applies to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

8.—These Rules may be cited as the Civil Defence (Appeals) Rules (Northern Ireland), 1940.

Sealed with the Official Seal of the Ministry of Public Security this 18th day of December, Nineteen Hundred and Forty, in the presence of

(L.S.)

(Signed) *E. W. Scales*,
Assistant Secretary.

CONTRIBUTORY PENSIONS.

Joint Committee Regulations,
p. 46.

Verification of Births, etc.,
p. 48.

Joint Committee Regulations.

REGULATIONS, DATED JUNE 17, 1940, MADE BY THE MINISTRY OF LABOUR FOR NORTHERN IRELAND UNDER SECTION 34 OF THE WIDOWS', ORPHANS' AND OLD AGE CONTRIBUTORY PENSIONS ACT (NORTHERN IRELAND), 1936.

1940. No. 62.

The Ministry of Labour for Northern Ireland, in exercise of the powers conferred on it by Section 34 of the Widows', Orphans' and Old Age Contributory Pensions Act (Northern Ireland), 1936, and of all other powers enabling it in that behalf, and with the consent of the National Health Insurance Joint Committee, hereby makes the following Regulations:—

1.—These regulations may be cited as the Contributory Pensions (Joint Committee) Regulations (Northern Ireland), 1940.

2.—(1) In these regulations, unless the context otherwise requires—

“the Pensions Act” means the Old Age and Widows' Pensions Act (Northern Ireland), 1940;

“the Joint Committee” means the National Health Insurance Joint Committee;