EXPLANATORY NOTE

(This note is not part of the Order, but is intended to indicate its general purport.)

The object of this Order is to provide for the rates of grant (and of Exchequer payments towards the grants) for houses provided by private persons for letting and owner-occupation, which are completed during the year 1961.

1961. No. 52 **[C]**

COUNTY COURTS

Summoning of Witnesses in Civil Proceedings

RULES, DATED 9TH MARCH, 1961, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 146 OF THE COUNTY COURTS ACT (NORTHERN IRELAND), 1959, ON THE RECOMMENDATION OF THE COUNTY COURT RULES COMMITTEE AND AFTER CONSULTATION WITH THE LORD CHIEF JUSTICE.

I, the Right Honourable Brian Faulkner, Minister of Home Affairs, by virtue of the power vested in me by Section 146 of the County Courts Act (Northern Ireland), 1959(a), on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice, do hereby make the following Rules:—

Citation

1. These Rules may be cited as the County Court (Summoning of Witnesses in Civil Proceedings) Rules (Northern Ireland), 1961.

Issue and service of witness summons

2.—(1) Subject to paragraph (2), where any party to any action or other civil proceeding desires a person to be summoned as a witness to give oral evidence at the hearing in court or to produce at the hearing in court a document in his possession or control, the clerk of the Crown and peace, or other officer of the court authorised by him for the purpose, shall, on the application of the party, issue a witness summons in Form 1 in the Schedule together with a copy thereof.

(2) Where the clerk of the Crown and peace has reason to believe that any application for a witness summons, not being an application by a party through his solicitor, is frivolous or vexatious, he may refer the application to the judge, and the judge may thereupon direct the issue of the summons or otherwise deal with the matter as to him seems just.

(3) The applicant shall, if the clerk of the Crown and peace, or other officer as aforesaid, so requests, produce the civil bill or other originating process.

(4) Each original summons shall bear a stamp of the prescribed amount and each such summons and each copy thereof shall be intitled as in the civil bill or other originating process to which it relates and shall contain

(a) 1959, c. 25.