Number of fee in Schedule to Order of 1926		Amendment or addition	£	s	d
Part	No.				
VI	2	After the figure " £20 " where last appearing *Add* " but not exceeding £50 "			
		Immediately thereafter *Add*			
		" Exceeding £50 but not exceeding £75 ...	–	3	0
		" £75	–	4	0"
	9	Omit the words " or over " and in lieu thereof insert " but not exceeding £500 "			
		Immediately thereafter *Add*			
		" Exceeding £500 but not exceeding £750 ...	–	15	0
		" £750	1	0	0"
	19	Before the word " claimed " insert the words " decreed or "			
		After the words " exceed £5 " where first appearing, insert in lieu of the words now therein standing the words " if the sum claimed shall exceed £5 but shall not exceed £50 "			
		Immediately thereafter *Add*			
		" shall exceed £50 but shall not exceed £75	–	3	0
		" " £75	–	3	6"
	22	*Add* " The like, in cases within the extended jurisdiction	–	2	0"
III	1	After the figures £400 where last appearing *Add* " but shall not exceed £500 "			
		Immediately thereafter *Add*			
		" Wherein the subject matter shall exceed £500 but shall not exceed £750 — on the Civil Bill or Petition, on the Primary Order or Decree and on the Final Order or Decree, each	1	0	0
		Wherein the subject matter shall exceed £750, there shall be likewise respectively taken a fee of	1	5	0"
	7	*Add* " The like, in cases within the extended jurisdiction	–	7	6"
	12	*Add* " The like, in cases within the extended jurisdiction	–	15	0"
	13	*Add* " The like, in cases within the extended jurisdiction	–	10	0"

The Hire-Purchase Act (Northern Ireland), 1940, County Court Rules, 1943.

1943. No. 81.

I, THE RIGHT HONOURABLE SIR JAMES ANDREWS, Bart., Lord Chief Justice of Northern Ireland, in exercise of the powers conferred on me by sub-section (2) of section 4 of the Administration of Justice (Emergency Provisions) (Northern Ireland) Act, 1939, and of all other powers

enabling me in that behalf, do hereby make and certify the rules hereinafter set forth as rules to be in force in proceedings in the county courts under The Hire-Purchase Act (Northern Ireland), 1940.

Dated this 2nd day of July, 1943.

James Andrews,
Lord Chief Justice of Northern Ireland.

The Court Fees referred to in rule 8 have 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 ninth day of July, 1943, in the presence of

W. B. Spender,
(L.S.) Secretary, Ministry of Finance.

THE HIRE-PURCHASE ACT (NORTHERN IRELAND), 1940, COUNTY COURT RULES, 1943.

Dated the 2nd day of July, 1943.

The following rules under the Hire-Purchase Act (Northern Ireland) 1940 (in these rules referred to as " the Act ") shall apply to the county courts.

These rules may be cited as The Hire-Purchase (County Court) Rules (Northern Ireland), 1943, and they shall come into operation on the 1st day of August, 1943.

1. Expressions used in these rules shall have the same meaning as in the Act.

The Interpretation Act, 1889, and the Interpretation Act (Northern Ireland), 1921, shall apply to the interpretation of these rules as they apply to the interpretation of an Act of Parliament.

These rules may be read and construed with the County Court (Ireland) Orders, 1890, and rules and orders of later date amending the same, which, save where otherwise appearing in these rules, shall apply to all proceedings under the Act.

2. In all cases to which section 11 of the Act applies where an owner seeks to enforce in the county court a right to recover possession of goods let under a hire-purchase agreement, the proceedings shall be commenced by an ordinary civil bill which shall state

(1) the date of the agreement and the parties thereto,
(2) the goods claimed,
(3) the amount of the hire-purchase price,
(4) the cash price,
(5) the amount paid by or on behalf of the hirer,
(6) the date when the right to recover the goods accrued.

The civil bill shall be served fifteen clear days before the first day of the sessions.

3. In an action by an owner to enforce a right to recover goods from a hirer all the parties to the agreement and any guarantor shall be made parties to the proceedings, save that it shall not be necessary to make any person a party to the proceedings who does not reside in Northern Ireland, but at the hearing the judge may order that the name of any party to the agreement, or any guarantor not named as a party to the proceedings, be added as defendant. Every person whose name is so added shall be served with the civil bill. The court shall have power to allow service of the civil bill in such proceedings out of Northern Ireland on any defendant or intended defendant, or to make an order for substitution of service, or an order deeming service already had good service. Service out of Northern Ireland, and substituted service, shall be effected in such mode as the court shall direct.

4.—(1) Applications under section 13 of the Act shall be made by motion on notice which shall be in the form in the Appendix hereto or to the like effect. Every other application to the court shall be made by motion entitled in the matter of the Act.

(2) Every notice of motion shall be served six clear days before the first day of the sessions at which it is intended to have the application heard, and a copy of such notice of motion with the endorsement of service thereof shall be lodged with the Clerk of the Crown and Peace two clear days before such sessions.

(3) Where the exigencies of the case require, an order under section 12, sub-section 3, may be made *ex parte*.

In any *ex parte* application the applicant shall lodge with the Clerk of the Crown and Peace an *ex parte* docket setting forth the nature of the application.

5.—(1) Service of any civil bill whereby the owner commences an action to enforce a right to recover possession of goods from a hirer shall be effected by a civil bill officer in the manner prescribed for the service of ordinary civil bills unless the judge shall otherwise direct.

(2) Service of any notice of motion may be accepted by a solicitor acting on behalf of the respondent.

(3) In any case in which service of a notice of motion is not accepted by a solicitor service shall be effected by a civil bill officer in the manner prescribed for the service of ordinary civil bills unless otherwise directed by the judge, who may direct service to be substituted or to be effected by registered post or that service already had be deemed good service as the case may be.

6. In any case to which section 11 of the Act applies in which there are two or more hirers, the action may be brought in the county court having jurisdiction where any one of the hirers resides or carries on business, or resided or carried on business at the date when the last payment under the hire-purchase agreement was made.

7. In actions to enforce a right to recover possession from a hirer of the whole of the goods comprised in a hire-purchase agreement, the cash price of which does not exceed £50, and in actions to enforce a right to recover possession of portions of goods, the cash price of the whole of which goods exceeds £50, the value of the goods sought to be recovered, which shall, prima facie, be the cash price of the goods, shall be determined by the court, and if the value so determined does not exceed £50, the costs, including counsel's fees, shall be of the same amount as the costs in proceedings by ordinary civil bill for the recovery of a sum equal to the value which the court shall determine to be the value of the goods to enforce a right to recovery of possession whereof the action is brought. In all other such cases the costs, including counsel's fees, shall be of the same amount as the costs in proceedings by ordinary civil bill for the recovery of £50 with the addition of 50 per cent. to such amount. Provided that in all applications under section 12, sub-section (3), and section 13 of the Act the costs, including counsel's fees, shall be in the discretion of the court. Such determination of value shall not be conclusive or binding except for the purpose of fixing the amount of costs and shall be without prejudice to the right of any party to dispute its accuracy for any other purpose. The Court may at any time direct that the costs payable under any order shall be paid by instalments of such amount and at such times as the Court may specify.

8. The fees payable in the court in respect of proceedings under the Act to enforce a right to recover possession of goods, the cash price of which is not more than £50, shall be the same fees as those payable in proceedings by ordinary civil bill for the recovery of a sum equal to the cash price of the goods for the recovery of possession of which the proceedings are brought. If in such proceedings the cash price of the goods for the recovery of possession of which the proceedings are brought is more than £50, the fees payable in proceedings by ordinary civil bill for the recovery of £50 with the addition of 50 per cent. shall be payable.