6.—This order may be cited as the Civil Defence Duties (Compulsory Enrolment) (Northern Ireland) Order, 1941.

Sealed with the Official Seal of the Ministry of Public Security for Northern Ireland this 14th day of February, 1941, in the presence of

(L.S.) *W. A. B. Iliff*,
Secretary.

SCHEDULE.

PERSONS EXEMPTED.

1. A member of any of the armed forces of the Crown.

2. A member of the Royal Ulster Constabulary or of the Ulster Special Constabulary, including the Local Defence Volunteer Section thereof.

3. Any person who—

(*a*) is the subject of an order under the Lunacy and Mental Treatment Acts (Northern Ireland), 1921 to 1932; or

(*b*) is being detained as a criminal lunatic in accordance with the provisions of the enactments relating to criminal lunatics in Northern Ireland; or

(*c*) is undergoing treatment as a temporary patient under section four of the Mental Treatment Act (Northern Ireland), 1932; or

(*d*) is undergoing treatment as a voluntary patient under section one of the Mental Treatment Act (Northern Ireland), 1932; or

(*e*) is a person found idiot, lunatic or of unsound mind and is under the care and custody of the Lord Chief Justice of Northern Ireland or of the judge of any civil bill court exercising by virtue of the County Court Jurisdiction in Lunacy (Ireland) Act, 1880, the jurisdiction of the said Lord Chief Justice.

4. A person certified by a local authority, as defined by the Blind Persons Acts (Northern Ireland), 1920 and 1938, to be registered as a blind person under arrangements made by the authority under those Acts.

5. A person of any such class as may be prescribed.

Exemption Tribunals.

THE CIVIL DEFENCE DUTIES (EXEMPTION TRIBUNALS) (NORTHERN IRELAND) ORDER, 1941, MADE BY THE MINISTRY OF PUBLIC SECURITY UNDER REGULATIONS 26A AND 27A OF THE DEFENCE (GENERAL) REGULATIONS, 1939.

1941. No. 85.

WHEREAS by the Delegation of Emergency Powers (Northern Ireland) Order, 1941 (a), made on January 23, 1941, by the Secretary of State

(a) S. R. & O. (U.K.), 1941, No. 102.

under Regulation 102A (1) of the Defence (General) Regulations, 1939 (b), the Secretary of State delegated his powers as respects Northern Ireland under Regulations 26A and 27A of the said Regulations to the Ministry of Public Security for Northern Ireland.

NOW, THEREFORE, the Ministry of Public Security for Northern Ireland, in pursuance of the powers so delegated to it and of all other powers enabling it in that behalf, hereby orders as follows :—

1.—(1) The Tribunal to which an application under paragraph (2) of Article 4 or an appeal under paragraph (9) of Article 4 of the Civil Defence Duties (Compulsory Enrolment) (Northern Ireland) Order, 1941 (a), may be made shall be the Court of Referees (hereinafter called the " Court ") for the district being, or comprising, the whole or any part of, the area of the local authority which may serve or has served on the applicant the enrolment notice in relation to which the application is made, or from whose decision the appeal is brought.

(2) An application as aforesaid may be made at any time by delivering notice thereof, in the form set out in Part I of the Second Schedule to this Order or in a form substantially to the like effect, to a Local Office of the Ministry of Labour for Northern Ireland.

(3) An appeal as aforesaid may be made within fifteen days from the date of the decision appealed against, or within such further period as the Court in special circumstances may allow, by delivering notice thereof, in the form set out in Part II of the Second Schedule to this Order or in a form substantially to the like effect, to a Local Office of the Ministry of Labour for Northern Ireland.

2.—(1) The Tribunal to which an application under paragraph (3) (*d*) of Article 3 of the Fire Prevention (Business Premises) (Northern Ireland) Order, 1941 (b), may be made shall be the Court for the district in which the applicant is required to perform the duties with respect to which the application is made.

(2) An application as referred to in paragraph (1) of this Article may be made at any time by delivering notice thereof, in the form set out in Part III of the Second Schedule to this Order or in a form substantially to the like effect, to a Local Office of the Ministry of Labour for Northern Ireland.

3.—The procedure of the Court shall be as set out in the First Schedule to this Order.

4.—In any case where an application is made under paragraph (2) of Article 4 of the Civil Defence Duties (Compulsory Enrolment) (Northern Ireland) Order, 1941, or paragraph (3) (*d*) of Article 3 of

(b) S. R. & O. (U.K.), 1939, No. 927.

(a) S. R. & O. (N.I.), 1941, No. 35.
(b) S. R. & O. (N.I.), 1941, No. 34.

the Fire Prevention (Business Premises) (Northern Ireland) Order, 1941, on the ground of medical unfitness, the Court may require the applicant to submit to such medical examination as may be directed by the Court, and, if he fails to do so within such time as the Court may fix, the Court may dismiss the application.

5.—An order by the Court for exemption or release from duty may be made so as to have effect either without limit of time or subject to such limit of time as the Court may determine.

6.—In this Order the expression "local authority" has the same meaning as in the Civil Defence Duties (Compulsory Enrolment) (Northern Ireland) Order, 1941, and the expressions "Court" and "Court of Referees" mean a Court of Referees constituted under the provisions of the Unemployment Insurance (Courts of Referees) Regulations (Northern Ireland), 1937 (a).

7.—This Order may be cited as the Civil Defence Duties (Exemption Tribunals) (Northern Ireland) Order, 1941.

Sealed with the Official Seal of the Ministry of Public Security for Northern Ireland this 4th day of April, One thousand nine hundred and forty-one, in the presence of

(L.S.) *E. W. Scales*,
Assistant Secretary.

FIRST SCHEDULE.

PROCEDURE.

(1) Reasonable notice of the time and place at which the Court will sit for the consideration of any case shall be given to the applicant or appellant as the case may be by being sent to him at his last known address and where such notice has been given the Court may proceed to adjudicate on the matter notwithstanding that the applicant or appellant is not present.

(2) The Court may, with the consent of the applicant or appellant, as the case may be, but not otherwise, proceed with any case in the absence of any member or members of the Court other than the Chairman. The Chairman shall, if the number of the members of the Court is an even number, have a second or casting vote.

(3) No person shall act as member of a Court during the consideration of a case—

(*a*) in which he appears as representative of any party; or

(*b*) by which he is directly affected; or

(*c*) in which he has taken any part or been concerned save as a member of the Court.

(4) In cases before the Court the applicant or appellant as the case may be may appear in person or by a representative of the Trade Union to which he belongs or by any person who satisfies the Court that he is a relative or personal friend of the party he proposes to represent. No party shall be represented by Counsel or Solicitor.

(a) S. R. & O. (N.I.), 1937, No. 43.