Rules: Sale of Ice Cream.

THE SALE OF ICE-CREAM ACT (NORTHERN IRELAND), 1937, COUNTY COURT RULES, 1938, DATED THE 14TH DAY OF JULY, 1938.

1938. No. 95.

WHEREAS by an Act, 40 and 41 Vic., C. 56, intituled " The County Officers and Courts (Ireland) Act, 1877," Section 79, it is enacted that the Lord Chancellor, with the concurrence of the County Court Judges and Chairmen of Quarter Sessions in Ireland, or any five of them, to be selected or nominated as in the said Act is provided, may make rules and orders for regulating the proceedings in and practice of the civil bill courts in Ireland and for prescribing the forms of proceedings, and for the several other purposes in the said Act mentioned, and otherwise for carrying the said Act into execution, and may from time to time amend such rules, orders and forms, and that every such rule, order and form certified under the hands of the Lord Chancellor and any five of such Judges and Chairmen, shall take effect from and after such day as shall be therein named :

And whereas by Section 83 of the said Act it is provided that the Lord Chancellor, with the concurrence of the Chairmen or any five of them to be selected or nominated as in the said Act provided, and with the consent of the Treasury, may by Order fix the fees to be taken in the civil bill courts in respect of any business under that or any other Acts in force for the time being in such courts, and may, with the like concurrence and consent, alter, reduce or increase the same from time to time, and may also, with the like concurrence and consent, alter the fees and stamp duties taken in those courts and substitute other fees for the same :

And whereas under and in pursuance of the provisions of the Government of Ireland Act, 1920, and the Orders made by His Majesty in Council thereunder, the references in the said Section to the Lord Chancellor shall be construed as references to the Lord Chief Justice of Northern Ireland, and references to the Treasury shall be construed as references to the Ministry of Finance for Northern Ireland :

And whereas by the County Officers and Courts Act (Northern Ireland), 1925, Section 10, the concurrence required in connection with the making by the Lord Chief Justice of Northern Ireland of rules or orders under section seventy-nine of the County Officers and Courts (Ireland) Act, 1877, shall be the concurrence of the Chairman within the meaning of the said Act, or any two of them to be nominated by the said Lord Chief Justice :

And whereas the Lord Chief Justice of Northern Ireland duly nominated His Honour HERBERT MARSHALL THOMPSON,

Recorder of Belfast and County Court Judge and Chairman of Antrim, and His Honour ARTHUR HENRY BATES, County Court Judge and Chairman of the County of Down, as the Chairmen with whose concurrence such rules and orders may be made in pursuance of the provisions of the said Act :

And whereas by an Act, 1 Edw. VIII and 1 Geo. VI, C. 7, intituled " The Sale of Ice-Cream Act (Northern Ireland), 1937," section 5, sub-section 6, it is provided that rules of court regulating the procedure and costs of an appeal to the county court from a court of summary jurisdiction under the said sub-section may be made by the authority having power to make rules and orders for regulating the practice of the county courts.

NOW I, THE RIGHT HONOURABLE JAMES ANDREWS, Lord Chief Justice of Northern Ireland, with the concurrence of the said Judges as testified by their signatures hereto, in pursuance of the powers given by the said recited Acts, and of all other powers thereunto us enabling, do hereby make and certify the rules and forms hereinafter set forth as rules and forms to be used and be in force in proceedings in the county court under The Sale of Ice-Cream Act (Northern Ireland), 1937, and with the consent of the Ministry of Finance, do hereby fix the fees and costs set out in Schedule II as the fees and costs to be taken and charged in the civil bill courts in Northern Ireland under the said section.

DATED this 14th day of July, 1938.

(Signed) JAMES ANDREWS,
Lord Chief Justice.

HERBERT M. THOMPSON,
Recorder of Belfast and County Court Judge and Chairman of Antrim.

A. H. BATES,
County Court Judge and Chairman of Down.

The Scale of Fees in Schedule II has 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 21st day of July, 1938, in the presence of :—

(L.S.) G. C. DUGGAN,
Assistant Secretary, Ministry of Finance.