

noted above for Perennial and Italian seed (and B) are basic prices, and if a sufficient profit after trading an additional payment may be made of seed of those descriptions and grades. The additional payment will be prescribed by the Rules.

Agents

The court may appoint to act as its agents in proceedings brought from the growers thereof during such proceedings as they may think fit the persons or firms in the

category of persons or firms who on the 31st day of July, 1953, were carrying on in Northern Ireland the business of machine cleaning ryegrass seed, and persons or firms who may make application to the court for appointment as agents provided that such appointment shall be made by the court after prior consultation with the representatives of the growers and of the persons already engaged in the business of machine cleaning ryegrass seed.

JURISDICTION

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Legal Aid Certificates Rules

1956. No. 141

[C]

RULES MADE BY THE SUMMARY JURISDICTION RULES COMMITTEE UNDER SECTION 2 OF THE SUMMARY JURISDICTION ACT (NORTHERN IRELAND), 1953, WITH THE APPROVAL OF THE LORD CHIEF JUSTICE.

We, the undersigned members of the Summary Jurisdiction Rules Committee appointed by the Minister of Home Affairs under sub-section (2) of section 1 of the Summary Jurisdiction Act (Northern Ireland), 1953, by virtue of the powers vested in us by section 2 of the said Act and of all other powers enabling us, do hereby make the Rules hereinafter set forth as summary jurisdiction rules regarding the grant of legal aid to persons charged before courts of summary jurisdiction in Northern Ireland, and, in pursuance of the provisions of sub-section (1) of section 3 of the said Summary Jurisdiction Act (Northern Ireland), 1953, do hereby certify the

same under our hands and do submit them to the Lord Chief Justice of Northern Ireland.

T. A. Blair.

G. Courtney.

E. Malachy Doris.

J. C. Hogg.

J. V. S. Mills.

James J. Napier.

J. Ritchie Wilson.

I approve of these Rules which shall come into force on the 1st day of October, 1956.

Dated the 29th day of August, 1956.

MacDermott,

Lord Chief Justice of Northern Ireland.

The scale of fees provided for in Rules 5 and 6 has been fixed with consent of the Ministry of Finance.

In witness whereof the Official Seal of the Ministry has been affixed hereto this 10th day of August, 1956, in
(L.S.) the presence of

C. J. Bateman,

Assistant Secretary.

Citation

1. These rules may be cited as the Poor Persons (Legal Aid Certificates) Rules (Northern Ireland), 1956.

Definition

2. In these rules the expression "the Ministry" means the Ministry of Home Affairs for Northern Ireland.

List of legal aid certificates granted

3.—(1) Each clerk of petty sessions shall keep a list of legal aid certificates which have been granted and shall record therein for each case (a) the name of the person to whom the certificate has been granted (b) in general terms the charge or charges preferred, and (c) the date of the granting of the certificate.

(2) Each clerk of petty sessions shall send to the Ministry a copy of the list specified in paragraph (1) at such times as the Ministry may from time to time direct.

Legal aid certificates

4.—(1) A legal aid certificate shall be in the form specified in the Schedule hereto.

(2) When granting a legal aid certificate a court of summary jurisdiction shall, after taking into account any representations

which the person charged may make, assign to him, from the list supplied to the clerk of petty sessions in pursuance of Rule 1 of the Poor Persons (Defence Certificates) Rules (Northern Ireland), 1956, a solicitor, to whose services the person shall be entitled.

(3) When in a case of murder a court of summary jurisdiction has thought fit to direct that the person charged shall have counsel assigned to him, any member of the Bar whose name appears in the list supplied to the clerk of petty sessions in pursuance of Rule 2 of the Poor Persons (Defence Certificates) Rules (Northern Ireland), 1956, may be instructed, on behalf of the person charged, by the solicitor assigned as aforesaid; and any member of the Bar instructed as aforesaid shall, for the purposes of these rules, be regarded as having been assigned in pursuance of a legal aid certificate.

Fees for solicitor

5.—(1) Subject to the provisions of Rule 7 there shall be allowed to the solicitor assigned as aforesaid a fee of £4 4s. 0d. and a further fee of £2 7s. 3d. in respect of every day on which an adjourned hearing takes place:

Provided that no fee shall be payable in respect of a hearing relating only to an application by either the prosecution or the defence for an adjournment or remand, or as to bail.

(2) In addition to any fees under the foregoing provisions of this rule the solicitor may be allowed travelling expenses actually and necessarily incurred by himself on the scale applicable to the travelling expenses of witnesses, for the prosecution, and also, any other out-of-pocket expenses which the Ministry is satisfied he has actually and reasonably incurred.

Fees for counsel

6. Subject to the provisions of Rule 7 there shall be allowed to counsel assigned in pursuance of a legal aid certificate a fee of £4 14s. 6d. and a further fee of £3 3s. 0d. in respect of every day on which an adjourned hearing takes place and, in addition, if he attends from a distance exceeding twenty miles measured in a straight line, a further fee of £1 11s. 6d. on each occasion of his attendance:

Provided that no fee shall be payable in respect of a hearing relating only to an application by either the prosecution or the defence for an adjournment or remand, or as to bail.

More than one legal aid certificate granted

7. When more than one charge is brought at the same court of summary jurisdiction against any person in respect of whom more than one legal aid certificate has been granted, fees shall be allowed to the solicitor assigned as aforesaid (and to counsel, if assigned as aforesaid) as if only one legal aid certificate had been granted in respect of that person, unless the court orders otherwise.

Revocation

8. The Poor Prisoners (Counsel and Solicitor) Rules (Northern Ireland), 1946, are hereby revoked to the extent to which they relate to legal aid certificates, but without prejudice to the validity of any legal aid certificates granted under those rules, which certificates shall, in relation to any trial or hearing commencing on or after the date from which these rules take effect, be deemed to have been granted under these rules.

SCHEDULE

FORM OF LEGAL AID CERTIFICATE

Petty Sessions District of
County of

I, **A.B.**, being a Resident Magistrate (or Justice of the Peace) before whom
is charged with
being satisfied that his means are insufficient to enable him to obtain legal aid and that, by reason (a) of the gravity of the charge, (b) of exceptional circumstances, it is desirable in the interests of justice that he should have legal aid in the preparation and conduct of his defence, do hereby grant him this legal aid certificate and assign to him as solicitor

(a) If this reason does not apply strike out the words "of the gravity of the charge." If this reason relates to more than one charge change this singular into the plural.
(b) If this reason does not apply strike out the words "of exceptional circumstances."

(Signed) **A.B.**,

Resident Magistrate or Justice of the Peace for the said County.

Date :

*Where the person is charged with murder and the Court thinks fit add "I further direct that he shall have counsel assigned to him as well as a solicitor for that purpose."

Petty Sessions Districts and Times

ORDED, DATED 25TH JANUARY, 1956, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SUB-SECTION (1) OF SECTION TEN OF THE SUMMARY JURISDICTION AND CRIMINAL JUSTICE ACT (NORTHERN IRELAND), 1935.

1956. No. 10

[NC]

In pursuance of the provisions of sub-section (1) of Section Ten of the Summary Jurisdiction and Criminal Justice Act (Northern Ireland), 1935, the Ministry of Home Affairs, after consultation with the County Court Judge and Resident Magistrate concerned, hereby orders and directs as follows:—

As and from the 10th day of February, 1956, Petty Sessions shall be regularly held in each month in the District set out in the first column of the Schedule to this Order at the times set out