

SCHEDULE

Statutory Minimum Remuneration

The General Waste Materials Reclamation Wages Council (Northern Ireland) Wages Regulation Order, 1958(a) shall have effect as if in the Schedule thereto for paragraphs 1 and 3 there were substituted the following paragraphs:—

"GENERAL MINIMUM TIME RATES

Paragraph 1. Workers of—	MALE WORKERS	Per hour		Per week of 44 hours	
		s.	d.	s.	d.
21 years of age and over	3	8½	163	2
18 and under 21 years of age	2	11	128	4
17 " 18 "	2	1	91	8
16 " 17 "	1	10¾	83	5
under 16 years of age	1	7¾	72	5

Provided that a worker of 21 years of age and over—

- (a) employed as a power craneman will, for all time during which he is so employed, be entitled to 3d. per hour,
 (b) employed as a burner cutter will, for all time during which he is so employed, be entitled to 2½d. per hour,

in addition to the statutory minimum remuneration otherwise payable.

PIECE WORK BASIS TIME RATE

Paragraph 3. Male Workers	Per hour	
	s.	d.
.. .. .	3	9½"

EXPLANATORY NOTE

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

This Order, which comes into operation on 17th March, 1960, amends the General Waste Materials Reclamation Wages Council (Northern Ireland) Wages Regulation Order, 1958 (Order N.I.W.R. (59)) by increasing the statutory minimum remuneration for certain male workers fixed by that Order.

1960. No. 35

[NC]

COUNTY COURTS ACT (NORTHERN IRELAND), 1959

Date of Commencement

ORDER, DATED 9TH MARCH, 1960, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SUB-SECTION (2) OF SECTION ONE HUNDRED AND FIFTY-FOUR OF THE COUNTY COURTS ACT (NORTHERN IRELAND), 1959(b).

I, the Right Honourable Brian Faulkner, Minister of Home Affairs for Northern Ireland, in exercise of the powers conferred on me by sub-section (2)

(a) S.R. & O. (N.I.) 1958, No. 214.

(b) 1959. c. 25.

of Section one hundred and fifty-four of the County Courts Act (Northern Ireland), 1959, (hereinafter referred to as "the Act") do hereby order as follows:

1. The provisions of the Act specified in the first column of the Schedule (which relate to matters specified in the second column of the said Schedule) shall come into operation on the first day of April, 1960.

2. This Order may be cited as the County Courts Act (Northern Ireland), 1959, Date of Commencement Order (Northern Ireland), 1960.

Dated this 9th day of March, 1960.

Brian Faulkner,
Minister of Home Affairs for
Northern Ireland.

SCHEDULE

Provisions of the Act	Subject Matter of Provisions
<i>Part I</i>	
Section one	County courts to be held for divisions.
Section two	Places at which courts are to be held.
<i>Part II</i>	
Section three	Place of sitting.
Section four	Times of sittings.
Section five	Additional and extraordinary sittings.
Section six	Adjournments.
Section seven	Hours of sitting.
Section eight	Order of hearing.
<i>Part III</i>	
Section nine	Exercise of civil jurisdiction.
Section ten	General civil jurisdiction.
Section eleven	Recovery of legacies, distributive shares, etc.
Section twelve	Jurisdiction in actions for recovery of land and actions involving title to land.
Section thirteen	Remedy against immediate landlord for distress by superior landlord.
Section fourteen	Remedy against tenants under Landlord and Tenant Act (Ireland), 1741.
Section fifteen	Jurisdiction as respects injunctions.
Section sixteen	Jurisdiction in equity matters.
Section seventeen	Jurisdiction in contentious probate matters.
Section eighteen	Power to grant limited administration.
Section nineteen	Replevins upon security.
Section twenty	Amount and conditions of security.
<i>Part IV</i>	
Section thirty-six	Transfer from one county court to another.
Sub-section (2) of Section thirty-seven	Costs in proceedings transferred.
Section thirty-eight	Actions transferred from courts of summary jurisdiction.

Provisions of the Act	Subject Matter of Provisions
<i>Part V</i>	
Section thirty-nine	Exercise of jurisdiction under Part V.
Section forty	Original criminal jurisdiction.
Section forty-one	Restriction on exercise of criminal jurisdiction.
Section forty-two	Adjournment of trial, etc.
<i>Part VI</i>	
Section forty-three	Exercise of jurisdiction under Part VI.
Section forty-four	Appeals and applications to county courts.
<i>Part VII</i>	
Section forty-five	Appeals in respect of indictable offences.
<i>Part VIII</i>	
Section forty-seven	Civil proceedings by and against the Crown.
Section forty-eight	Division of causes of action.
Section forty-nine	No action on judgment, etc., of other courts.
Section fifty	Venue of civil proceedings.
Section fifty-one	Service of process, etc.
Section fifty-two	Capacity of parties, etc.
Section fifty-three	Proceedings against representatives.
Section fifty-four	Representatives to lodge accounts if required.
Section fifty-five	Jurisdiction as respects third parties, etc.
Section fifty-six	Registration of county court proceedings as <i>lis pendens</i> .
Section fifty-seven	Witnesses.
Section fifty-eight	Subpoena; examination of witnesses on commission, etc.
Section fifty-nine	Evidence of prisoners.
Section sixty-one	Reference to officer.
Section sixty-three	Interest.
Section sixty-four	Finality of decrees.
Section sixty-five	Payment of decrees.
Section sixty-seven	Decrees enforceable throughout Northern Ireland.
Section sixty-eight	Judgment mortgages on foot of decrees.
Section seventy	Duration, extension and renewal of decrees.
Section seventy-one	Extent and exercise of powers of county courts.
Section seventy-two	Offences in relation to civil process and authority of county courts.
<i>Part IX</i>	
Section seventy-three	Interpretation of Part IX.
Section seventy-four	Execution of decrees for debt.
Section seventy-five	Execution to be superseded on payment.
Section seventy-six	Property liable to and exempt from execution; prohibited times.
Section seventy-seven	Custody of goods seized.
Section seventy-eight	Disposal of bills of exchange, etc., seized.
Section seventy-nine	Penalty for rescuing goods seized.
Sub-sections (1), (2), (3), (4), (5) and (6) of Section eighty	Sale of goods seized.
Section eighty-one	Claims against goods seized; interpleader.
Section eighty-two	Powers of under-sheriffs, etc., respecting executions; records to be kept.

Provisions of the Act	Subject Matter of Provisions
Section eighty-three	Priority of executions against goods.
Section eighty-four	Time limits for execution.
Section eighty-five	Non-execution of decrees; judge's powers.
Section eighty-six	Fees to be prescribed; how payable.
Section eighty-seven	Penalties for wrongful taking of fees, etc.
Section eighty-eight	Warrant not invalidated by death, etc., of under-sheriff.
Section eighty-nine	Warrant invalidated by bailiff, etc., ceasing to hold office.
Section ninety	Certificate of sum due.
Section ninety-one	Irregularity in decree or execution.
Section ninety-two	Responsibility for execution.
Section ninety-three	Bailiffs.
Section ninety-four	Publication of names of bailiffs and court messengers.
<i>Part X</i>	
Section ninety-six	Payment into court under Trustee Act (N.I.), 1958.
Section ninety-seven	Payment into court in administration suits, etc. / 9 pas
Section one hundred	Disposition of dormant or unclaimed funds in court.
Section one hundred and one	Examination of accounts of county courts.
<i>Part XI</i>	
Section one hundred and two	Appointment of judges for divisions.
Section one hundred and three	Qualifications and disqualifications of judges.
Section one hundred and four	Judges to be justices of the peace.
Section one hundred and five	Tenure and oaths of office and retirement of judges.
Section one hundred and seven	Deputy judges.
<i>Part XII</i>	
Section one hundred and eight and First Schedule	The county court service.
Section one hundred and nine	Death, incapacity, etc., of certain officers.
Section one hundred and ten	Unestablished and temporary employment.
Section one hundred and eleven	Under-sheriffs.
Section one hundred and twelve	Court messengers.
Section one hundred and thirteen	Bailiffs.
Section one hundred and fourteen	Interpreters and shorthand writers.
Section one hundred and fifteen	Saving for certain existing officials.
<i>Part XIII</i>	
Section one hundred and sixteen and Part I of Second Schedule	Pensions of judges.
Section one hundred and seventeen and Part II of Second Schedule	Modification of superannuation enactments as respects clerks of the Crown and peace and registrars.
Section one hundred and eighteen	Application of superannuation enactments to the county court service.
Section one hundred and nineteen	Application of succeeding provisions of Part XIII.
Section one hundred and twenty	Application to existing judges.
Section one hundred and twenty-one	Lump sum on retirement or death.
Section one hundred and twenty-two	Power to grant widows' and children's pensions.

Provisions of the Act	Subject Matter of Provisions
Section one hundred and twenty-three	Widow's pension.
Section one hundred and twenty-four	Children's pension; beneficiaries.
Section one hundred and twenty-five	Meaning of "period of childhood and full-time education".
Section one hundred and twenty-six	Children's pension; rate and mode of payment.
Section one hundred and twenty-seven	Contribution towards cost of widow's and children's pension.
Section one hundred and twenty-eight	Persons serving again after retirement.
Section one hundred and twenty-nine	Saving for allocation of pension.
Section one hundred and thirty ..	Saving for reduction in respect of national insurance pension.
Section one hundred and thirty-one ..	Effect under this Act of certain nullity decrees.
Section one hundred and thirty-two ..	Recommendation of Ministry in certain cases.
Section one hundred and thirty-three	Incidence of liability in respect of benefits under Part XIII.
and Part III of Second Schedule ..	Evidence of health.
Section one hundred and thirty-four	Interpretation of Part XIII.
Section one hundred and thirty-five ..	
<i>Part XIV</i>	
Section one hundred and thirty-six ..	Charges on Consolidated Fund.
Section one hundred and thirty-seven	Payments out of voted moneys.
Section one hundred and thirty-eight	Fees to be paid into the Exchequer.
<i>Part XV</i>	
Section one hundred and thirty-nine	Right of audience.
Section one hundred and forty ..	Powers as respects solicitors.
Section one hundred and forty-one ..	Powers of attachment, committal, etc., for contempt, etc.
Section one hundred and forty-two ..	Affidavits.
Section one hundred and forty-three	Evidence of records kept under this Act.
Section one hundred and forty-four	Information to be furnished to the Ministry.
Section one hundred and forty-five ..	County court seal and evidence of documents.
Section one hundred and forty-six ..	County court rule-making authority.
Section one hundred and forty-seven	Powers of Rules Committee.
and Third Schedule ..	Saving for existing rules, etc.
Section one hundred and forty-eight	Application of High Court practice.
Section one hundred and forty-nine	
Section one hundred and fifty-one	Consequential amendment of enactments.
and Fourth Schedule ..	Interpretation.
Section one hundred and fifty-two ..	Saving for pending proceedings.
Section one hundred and fifty-three	
Sub-section (3) of Section one hundred and fifty-four and so much of the Fifth Schedule as is set out in the Appendix ..	Repeals.

APPENDIX

Session or Year and Chapter	Short Title	Extent of Repeal
15 Geo. 2, c. 8 (Ir.)	The Landlord and Tenant Act (Ireland), 1741.	Section four.
25 Geo. 2, c. 13 (Ir.)	The Distress for Rent Act (Ireland), 1751.	Section four so far as it relates to county courts.
1 Geo. 3, c. 17 (Ir.)	The Expiring Laws Act (Ireland), 1761.	In section twenty-six the words "at the next assizes".
3 Geo. 3, c. 28 (Ir.)	The Criminal Justice Act (Ireland), 1763.	Section twenty.
36 Geo. 3, c. 38 (Ir.)	The Distress for Rent Act (Ireland), 1796.	The whole Act so far as it relates to county courts.
39 Geo. 3, c. 55 (Ir.)	The Quarter Sessions Act (Ireland), 1799.	The whole Act so far as unrepealed.
6 & 7 Will. 4, c. 116.	The Grand Jury (Ireland) Act, 1836.	In section forty-six, the words "clerk of the peace, or clerk of the Crown, or"; and in section one hundred and sixty-eight, the words from "at the quarter sessions" to the end of the section.
3. & 4 Vict., c. 102.	The Court Houses (Ireland) Act, 1840.	The whole Act so far as unrepealed.
3 & 4 Vict., c. 108.	The Municipal Corporations (Ireland) Act, 1840.	Section one hundred and sixty-three; sections one hundred and sixty-six to one hundred and seventy; the proviso to section one hundred and seventy-three; sections one hundred and seventy-five; one hundred and seventy-seven; one hundred and eighty-one; sections one hundred and eighty-three to one hundred and eighty-five.
6 & 7 Vict., c. 93.	The Municipal Corporations (Ireland) Act, 1843.	Section twenty-two.
8 & 9 Vict., c. 80.	The Quarter Sessions (Ireland) Act, 1845.	The whole Act so far as unrepealed.
14 & 15 Vict., c. 57.	The Civil Bill Courts (Ireland) Act, 1851.	The whole Act except sections one hundred and thirty-three to one hundred and thirty-eight.
17 & 18 Vict., c. 94.	The Public Revenue and Consolidated Fund Charges Act, 1854.	In the Schedule the word "Excise" in the first column, the words "Salaries to process-servers, Ireland" in the second column and the words "7 Geo. 4 c. 36" in the third column.
20 & 21 Vict., c. 79.	The Probates and Letters of Administration Act (Ireland), 1857.	Section sixty.
21 & 22 Vict., c. 88.	The Chairman of Quarter Sessions (Ireland) Act, 1858.	The whole Act so far as unrepealed.
23 & 24 Vict., c. 154.	The Landlord and Tenant Law Amendment Act, Ireland, 1860.	In section thirty, from the words "in the county" where they first occur to the end of the section; in section thirty-one, the words from "in the county" where they first occur to "of the landlord"; in section thirty-two, the words "with the same incidents as in ordinary civil bill process"; in section thirty-three, the words from "before the chairman" to the end of the section; in section thirty-eight, the words from "in the same manner" to the end of the section; sections fifty-four to fifty-seven; sections fifty-nine and sixty; in section

Session or Year and Chapter	Short Title	Extent of Repeal
23 & 24 Vict., c. 154. (contd.)	The Landlord and Tenant Law Amendment Act, Ireland, 1860. (contd.)	seventy-two, the words from "and thereupon" to the end of the section; sections seventy-three, seventy-eight, eighty, ninety, ninety-one, ninety-eight, ninety-nine and one hundred and two.
26 & 27 Vict., c. 62.	The Seizure of Crops (Ireland) Act, 1863.	The whole Act so far as unrepealed.
27 & 28 Vict., c. 99.	The Civil Bill Courts Procedure Amendment Act (Ireland), 1864.	The whole Act, except section nine and sections thirty-four to forty.
28 & 29 Vict., c. 1.	The Civil Bill Court (Ireland) Act, 1865.	The whole Act so far as unrepealed.
33 & 34 Vict., c. 46.	The Landlord and Tenant (Ireland) Act, 1870.	Sections twenty-three, sixty-two and sixty-four.
34 & 35 Vict., c. 65.	The Juries Act (Ireland), 1871.	Section twenty-eight.
34 & 35 Vict., c. 99.	The Civil Bill Courts Procedure Amendment Act (Ireland), 1871.	The whole Act so far as unrepealed.
34 & 35 Vict., c. 102.	The Charitable Donations and Bequests Act (Ireland), 1871.	In section eight, the words from "in the court of the chairman" to the end of the section.
35 & 36 Vict., c. 51.	The Judges Salaries Act, 1872.	In section four, the words "every county court judge".
37 & 38 Vict., c. 66.	The Civil Bill Courts (Ireland) Act, 1874.	The whole Act, except section two.
39 & 40 Vict., c. 71.	The Chairman of Quarter Sessions (Ireland) Jurisdiction Act, 1876.	The whole Act so far as unrepealed.
40 & 41 Vict., c. 56.	The County Officers and Courts (Ireland) Act, 1877.	The whole Act, except section twenty-one so far as it relates to the Juries Acts (Northern Ireland), 1871 to 1953, sections thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty-three, forty-four, forty-five, fifty-one, fifty-two, fifty-seven, fifty-eight, sixty-three, sixty-seven, seventy-four, seventy-five, so much of section seventy-six as relates to courts other than county courts, sections seventy-seven, seventy-eight and eighty.
40 & 41 Vict., c. 57.	The Supreme Court of Judicature Act (Ireland), 1877.	Section seventy-nine, so far as it relates to county courts.
44 & 45 Vict., c. 49.	The Land Law (Ireland) Act, 1881.	Sub-section (2) of section thirty-seven; paragraphs (1), (6) and (7) of section thirty-eight; section fifty-one.
51 & 52 Vict., c. 44.	The Local Bankruptcy (Ireland) Act, 1888.	The whole Act so far as unrepealed.
60 & 61 Vict., c. 20.	The Quarter Sessions Jurors (Ireland) Act, 1897.	Section six.
6 Edw. 7, c. 54.	The Town Tenants (Ireland) Act, 1906.	Sub-section (2) of section ten.
2 & 3 Geo. 5, c. 31.	The Pilotage Act, 1913.	Paragraph (c) of sub-section (8) of section twenty-eight.
10 & 11 Geo. 5, c. 26.	The Sheriffs (Ireland) Act, 1920.	Sections six to nine; in section eleven the words from "References to county court judges" to "such court"; the Schedule.
10 & 11 Geo. 5, c. 66.	The Criminal Injuries (Ireland) Act, 1920.	Section eight.

Session or Year and Chapter	Short Title	Extent of Repeal
15 & 16 Geo. 5, c. 5.	The County Officers and Courts Act (Northern Ireland), 1925.	The whole Act so far as unrepealed.
16 & 17 Geo. 5, c. 9.	The Mines (Working Facilities, Support, etc.) Act (Northern Ireland), 1926.	Sub-sections (2) and (5) of section ten.
20 Geo. 5, c. 10.	The Local Government (Rating and Finance) Act (Northern Ireland), 1929.	Sub-section (4) of section six.
20 & 21 Geo. 5, c. 23.	The Agricultural Produce (Meat Regulation) Act (Northern Ireland), 1930.	Sub-section (2) of section eighteen.
21 & 22 Geo. 5, c. 9.	The Electricity (Supply) Act (Northern Ireland), 1931.	In sub-section (2) of section thirty-three, the words from "Rules of court" to the end of the sub-section.
21 & 22 Geo. 5, c. 12.	The Planning and Housing Act (Northern Ireland), 1931.	Sub-section (2) of section forty-seven.
22 & 23 Geo. 5, c. 7.	The Companies Act (Northern Ireland), 1932.	In sub-section (1) of section three hundred and twenty-one, the words from "and a court" to the end of the sub-section.
22 & 23 Geo. 5, c. 16.	The Land Law (Miscellaneous Provisions) Act (Northern Ireland), 1932.	Sub-section (6) of section one.
23 & 24 Geo. 5, c. 13.	The County Officers and Courts Act (Northern Ireland), 1933.	The whole Act so far as unrepealed except section nine.
23 & 24 Geo. 5, c. 23.	The Moneylenders Act (Northern Ireland), 1933.	Section eighteen.
24 & 25 Geo. 5, c. 22.	The Local Government Act (Northern Ireland), 1934.	In sub-section (3) of section twenty-nine and in sub-section (11) of section thirty-one, the words from "Rules of court" to the end of the sub-section respectively; article 26 of the Second Schedule.
25 & 26 Geo. 5, c. 13.	The Summary Jurisdiction and Criminal Justice Act (Northern Ireland), 1935.	Section one; paragraphs (h) to (j) of sub-section (3) of section twenty-four.
26 Geo. 5 & 1 Edw. 8, c. 11.	The Revaluation (Consequential Provisions) Act (Northern Ireland), 1936.	In sub-section (3) of section thirteen, the words from "Rules of court" to the end of the sub-section.
2 & 3 Geo. 6, c. 12.	The Evidence Act (Northern Ireland), 1939.	Sub-section (2) of section five.
2 & 3 Geo. 6, c. 15.	The Civil Defence Act (Northern Ireland), 1939.	In sub-section (1) of section five, the words from "Rules of court" to the end of the sub-section.
1946, c. 7.	The Shops Act (Northern Ireland), 1946.	Section twenty-four.
1946, c. 8.	The Elections and Franchise Act (Northern Ireland), 1946.	Sub-section (4) of section thirty-two.
1946, c. 12.	The Valuation Acts Amendment Act (Northern Ireland), 1946.	Section seven.
1947, c. 9.	The Drainage Act (Northern Ireland), 1947.	Sub-section (9) of section nineteen; article 25 of the Third Schedule.
1951, c. 20.	The Judicial Pensions Act (Northern Ireland), 1951.	The whole Act, so far as it relates to county court judges and officers.
1952, c. 2.	The Business Tenancies (Temporary Provisions) Act (Northern Ireland), 1952.	Sub-sections (2) and (3) of section nine.