

EXPLANATORY NOTE

(This Note is not part of the Rules but is intended to indicate their general purport.)

These rules provide for the maximum amount of costs and the amount for witnesses' fees and expenses which may be recovered by a successful party from an unsuccessful party to an appeal to the County Court from an order made by a Court of Summary Jurisdiction in affiliation and maintenance proceedings.

1966. No. 277

[C]

MAGISTRATES' COURTS RULES

Costs in Affiliation and Separation and Maintenance Proceedings

RULES, DATED 28TH NOVEMBER 1966, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, the Right Honourable William Craig, Minister of Home Affairs, for Northern Ireland, in exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a) do hereby, upon the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice make the Rules hereinafter set forth.

Dated this 28th day of November 1966.

Wm. Craig,
Minister of Home Affairs
for Northern Ireland.

Costs in proceedings relating to affiliation, separation and maintenance orders

1.—(1) The amount for costs recoverable by a successful party from the other party to any proceedings before a court of summary jurisdiction under or in connection with the following enactments, that is to say—

- (a) the Maintenance Orders (Facilities for Enforcement) Act 1920(b);
- (b) the Illegitimate Children (Affiliation Orders) Act (Northern Ireland) 1924(c);
- (c) the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945(d);
- (d) the Maintenance Orders Act 1950(e);
- (e) the Maintenance and Affiliation Orders Act (Northern Ireland) 1966(f);

shall, subject to Rule 2, be such amount as is fixed pursuant to the Schedule.

(a) 1964. c. 21 (N.I.).

(b) 10 & 11 Geo. 5. c. 33.

(c) 14 & 15 Geo. 5. c. 27 (N.I.).

(d) 1945. c. 14.

(e) 14 Geo. 6. c. 37.

(f) 1966. c. 35 (N.I.).

(2) The reference to the enactments specified in paragraph (1) is a reference to those enactments as enacted or as applied or extended by or for the purposes of any other enactment.

Increases in amounts recoverable for costs in exceptional cases

2. Where the court, having regard to the exceptional length, difficulty or complexity of the proceedings is satisfied that the amounts recoverable under Rule 1 are inadequate, it may, notwithstanding that Rule, order the recovery of a greater sum.

Witnesses' fees or expenses

3. The court may, in addition to ordering the recovery of any sum under Rule 1 or Rule 2, order that the successful party shall recover from the other party to the proceedings such witnesses' fees or expenses as the court in its discretion thinks just.

Revocations

4. So much of Rules 4 and 5 of and of Schedules (C) and (D) to the Illegitimate Children (Affiliation Orders) Rules 1925(a) and of Rule 4 of and of the Third Schedule to the Summary Jurisdiction (Separation and Maintenance) Rules (Northern Ireland) 1946(d) as relates to proceedings before a court of summary jurisdiction is hereby revoked.

Citation and commencement

5. These Rules may be cited as the Magistrates' Courts (Costs in Affiliation and Separation and Maintenance Proceedings) Rules (Northern Ireland) 1966 and shall come into force on the 14th day of December 1966.

SCHEDULE

The court may order that a successful party shall recover from the other party—

- (a) such an amount as between party and party not exceeding £21 0s. 0d., as the court thinks just, in respect of the remuneration and outlay of the successful party's solicitor in taking instructions, preparing the case, drawing the necessary documents, attending in court and, where counsel is not instructed, conducting the proceedings at the hearing and in respect of all other reasonable charges incidental to the proceedings; and
- (b) where counsel is instructed, an amount not exceeding £21 0s. 0d., in respect of counsel's fee as the court thinks just.

EXPLANATORY NOTE

(This Note is not part of the Rules but is intended to indicate their general purport.)

The rules provide for the maximum amount of costs and the amount for witnesses' fees and expenses which may be recovered by a successful party from an unsuccessful party to affiliation and maintenance proceedings before a Court of Summary Jurisdiction. The scale also applies to proceedings for the enforcement of orders made in such proceedings.

(a) S.R. & O. (N.I.) 1925, No. 25.

(b) S.R. & O. (N.I.) 1946, No. 161.

1966. No. 278

[C]

MAGISTRATES' COURTS RULES: REGISTRATION OF CLUBS

RULES, DATED 28TH NOVEMBER 1966, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

I, the Right Honourable William Craig, Minister of Home Affairs, in exercise of the powers conferred on me by section 23(4) of the Magistrates' Courts Act (Northern Ireland) 1964(a), do hereby, upon the recommendation of the Magistrates' Courts Rules Committee appointed under section 23(2) of that Act and after consultation with the Lord Chief Justice, make the Rules hereinafter set forth.

Dated this 28th day of November 1966.

Wm. Craig,
Minister of Home Affairs.

Duties of Registrar under the Registration of Clubs Acts (Northern Ireland) 1904 to 1966

1.—(1) The registrar, after consultation with the appropriate Resident Magistrate, shall, in accordance with section 2 of the Registration of Clubs (Ireland) Act 1904(b), fix the time and date at or upon which and the place at which an application for a certificate of registration of a club under the Registration of Clubs Acts (Northern Ireland) 1904 to 1966(c) or for the renewal of such certificate is to be brought before the court.

(2) The registrar shall, at least seven days before the date fixed under paragraph (1), give written notice by post of the time, date and place fixed under that paragraph to—

- (a) the secretary of the club at his usual address, or at the premises occupied or to be occupied by the club, or, if the application is lodged on his behalf by a solicitor, then to that solicitor at his usual place of business;
- (b) any person who has lodged an objection to the grant of the certificate or its renewal at his usual address or, if the objection is lodged on his behalf by a solicitor, then to that solicitor at his usual place of business;
- (c) the District Inspector of the Royal Ulster Constabulary for the district in which the club premises are, or are to be, situate.

Citation and commencement

2. These Rules may be cited as the Magistrates' Courts (Registration of Clubs) Rules (Northern Ireland) 1966 and shall come into force on the 14th day of December 1966.

(a) 1964. c. 21 (N.I.).

(b) 4 Edw. 7. c. 9.

(c) 4 Edw. 7. c. 9; 17 & 18 Geo. 5. c. 21; 1959. c. 1 (N.I.); 1966. c. 24 (N.I.).