

## 1966. No. 9

[C]

**LEGAL AID: REMUNERATION OF SOLICITORS AND COUNSEL IN  
COUNTY COURT PROCEEDINGS UNDER SECTION 6(6) OF AND  
SCHEDULE 3 TO THE LEGAL AID AND ADVICE ACT  
(NORTHERN IRELAND) 1965**

ORDER, DATED 11TH JANUARY, 1966, MADE BY THE MINISTER OF HOME AFFAIRS UNDER SCHEDULE 3 TO THE LEGAL AID AND ADVICE ACT (NORTHERN IRELAND) 1965.

I, the Right Honourable Robert William Brian McConnell, Minister of Home Affairs for Northern Ireland, after consultation with the County Court Rules Committee, in exercise of the powers conferred on me by section 6(6) of and paragraphs 1(2)(b) and 2(2)(b) and paragraphs 5 and 6 of Schedule 3 to the Legal Aid and Advice Act (Northern Ireland) 1965(a) (hereinafter referred to as "the Act") and all other powers thereunto enabling, do hereby order as follows:—

*Sums allowed to Solicitors and Counsel in proceedings in the County Court*

1.—(1) The sums allowed to solicitors or counsel acting for assisted persons in any proceedings in the county court, other than under its equity jurisdiction or those remitted to it by the High Court, shall be such as are assessed by the Legal Aid Committee.

(2) The sums so allowed to solicitors shall be such as are prescribed or regulated on a solicitor and client basis under any enactment relating to such proceedings and, subject to paragraph 2, where no amount is so prescribed or regulated, shall not exceed £52 10s. 0d.

(3) The sums so allowed to counsel shall be not less than such amounts as are prescribed under any enactment relating to such proceedings and, subject to paragraph 2, shall not exceed £37 15s. 0d.

*Judge may in exceptional cases certify that limit of assessment shall not apply*

2. Where a solicitor or counsel acting for an assisted person considers the sum allowable under paragraph 1 would not provide fair remuneration according to the work reasonably undertaken and properly done, he may apply to the judge before whom the proceedings took place for a certificate that for any reason including the exceptional length, difficulty or complexity of the proceedings the limitation on the sums allowable under paragraph 1 shall not apply and where such certificate is granted the Legal Aid Committee shall allow such sums as appear to it to represent fair remuneration according to work reasonably undertaken and properly done.

*Documents, etc., to be lodged with the Legal Aid Committee*

3.—(1) Where payment is sought in respect of the remuneration of a solicitor or counsel for work done on behalf of the assisted person in connection with proceedings in the county court the solicitor shall lodge with the Legal Aid Committee such papers and information as will enable that Committee to assess such remuneration including a report of the case in a form approved by the Committee and where necessary or if so directed by that Committee—

- (a) a bill of costs setting out—
- (i) a summary in narrative form of the work done including the time spent in preparation and conduct of the case;
  - (ii) a basic sum for conducting the case which may be allowed in accordance with the foregoing provisions of this Order;
  - (iii) any court fees or fees for service of a process;
  - (iv) counsel's fees where counsel is instructed;
  - (v) disbursements with vouchers or receipts;
- (b) counsel's brief and a note indicating the time involved including time spent at court;
- (c) a statement in support of an application for a certificate referred to in paragraph 2.

(2) The secretary to the Legal Aid Committee shall notify counsel of any reduction in or disallowance of counsel's fees and where counsel is dissatisfied with any decision of the Committee he shall notify the Committee in writing.

#### *Interpretation*

**4. In this Order—**

“assisted person” means a person in respect of whom a certificate is in force;

“certificate” means a Civil Aid Certificate issued in accordance with a scheme made by the Law Society under section 10 of the Act or with regulations made under Part I thereof and includes an emergency certificate;

“Law Society” means the Incorporated Law Society of Northern Ireland;

“Legal Aid Committee” means the Committee established in accordance with section 10(4) of the Act under a scheme made by the Law Society.

#### *Citation and Commencement*

**5.** This Order may be cited as the Legal Aid (Remuneration of Solicitors and Counsel in County Court Proceedings) Order (Northern Ireland) 1966 and shall come into force on the 14th day of February, 1966.

Dated this 11th day of January, 1966.

*R. W. B. McConnell,*  
Minister of Home Affairs  
for Northern Ireland.

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#### EXPLANATORY NOTE

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

This Order is made by the Minister of Home Affairs under powers conferred by section 6(6) of and Schedule 3 to the Legal Aid and Advice Act (Northern Ireland) 1965 and provides for the remuneration of solicitors and counsel in county court proceedings.

1966. No. 10

[NC]

## CENSUS OF POPULATION

ORDER IN COUNCIL MADE UNDER THE CENSUS ACT (NORTHERN IRELAND)  
1965.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND

ERSKINE OF RERRICK

Whereas by section 1 of the Census Act (Northern Ireland) 1965(a) it is provided that a census shall be taken in the year 1966 and that the census day shall be Sunday, the twenty-fourth day of April in that year, or such other day, being Sunday, as may be fixed by the Governor by Order in Council:

And whereas it is expedient to defer the taking of the census:

Now, therefore, I John Maxwell, Baron Erskine of Rerrick, Knight Grand Cross of the Most Excellent Order of the British Empire, Governor of Northern Ireland, by and with the consent of the Privy Council of Northern Ireland, in exercise of the powers conferred by the said section and of all other powers me thereunto enabling do hereby order as follows:

*Citation*

1. This Order may be cited as the Census Order (Northern Ireland) 1966.

*Census day*

2. The census day for the purposes of section 1 of the Census Act (Northern Ireland) 1965 shall be Sunday, 9th October, 1966, instead of Sunday, 24th April, 1966.

Given at Government House, Hillsborough, this twelfth day of January, one thousand, nine hundred and sixty-six.

*H. V. Kirk*

*R. W. B. McConnell*

*Wm. Craig*

*John L. O. Andrews*

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EXPLANATORY NOTE

*(This note does not form part of the Order but is intended to indicate its general purpose.)*

This Order alters the date on which the census is to be taken—from 24th April, 1966, to 9th October, 1966.

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(a) 1965. c. 5 (N.I.).