

## 1971. No. 335

[C]

**PAYMENTS FOR DEBT (EMERGENCY PROVISIONS)**

ORDER, DATED 29TH OCTOBER 1971, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 14 OF THE PAYMENTS FOR DEBT (EMERGENCY PROVISIONS) ACT (NORTHERN IRELAND) 1971.

The Ministry of Home Affairs in exercise of the powers conferred on it by section 14 of the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971(a) and all other powers thereunto enabling hereby makes the following Order—

*Citation*

1. This Order may be cited as the Payments for Debt (Emergency Provisions) Order (Northern Ireland) 1971.

*Fees payable in proceedings under the Act for emergency enforcement orders*

2.—(1) The following provisions of the Judgment Enforcement (Fees) Regulations (Northern Ireland) 1970(b) shall, subject to this paragraph, apply to proceedings under the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971 (in this Order referred to as “the Act”)—

(a) Regulation 3 and Schedule 1;

(b) Regulation 4(1) and Part I of Schedule 2 paragraphs 1, 2, 3, 6, 7 and 8 subject to the modification that—

(i) for any reference to an application for enforcement of a judgment under section 18 of the Judgments (Enforcement) Act (Northern Ireland) 1969(c) there shall be substituted a reference to an application under section 3 of the Act for an order to show cause why an emergency enforcement order should not be made;

(ii) any reference to the amount due on foot of the judgment shall be construed as a reference to the amount recoverable under the order;

(c) Regulation 4(3), (5) and (6) and Part II of Schedule 2.

(2) Without prejudice to any order of the Ministry under section 17 of the Act, it may direct that any fee which would otherwise be payable under paragraph (1) may be dealt with or treated as paid or credited or otherwise discharged in such manner as the Ministry, after consultation with the Ministry of Finance, shall specify.

*Application of General Regulations for purposes of the Act*

3. So much of the Judgment Enforcement (General) Regulations (Northern Ireland) 1971(d) as is hereinafter specified shall apply to proceedings under the Act, that is to say—

(a) Regulation 7 with the modifications that—

(i) in paragraph 3(a) the reference to the amount due on foot of the judgment shall be construed as a reference to the amount recoverable under the emergency enforcement order;

(ii) sub-paragraphs (b) and (c) of paragraph (3) shall be omitted;

(a) 1971. c. 30 (N.I.).

(b) S.R. & O. (N.I.) 1970, No. 349,

(c) 1969. c. 30 (N.I.).

(d) S.R. & O. (N.I.) 1971, No. 1,

- (b) Regulation 8 with the modification that the words "or where" in paragraph (1) to the end thereof shall be omitted;
- (c) Regulation 12 with the modifications that in paragraph (1) the reference to a written authorisation under section 44 of the Act of 1969 and to Form 5 shall be omitted and in paragraph (4) for the words "the documents referred to in paragraph (1)" there shall be substituted the words "Form 4" and for the words from "a custody warrant" to the end thereof there shall be substituted the words "the order of seizure";
- (d) Regulation 13 with the modification that the reference to an authorisation under section 44 of the Act of 1969 shall be omitted;
- (e) Regulation 14 with the modification that any reference to Regulation 11 or to an authorisation under the said section 44 shall be omitted.

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 29th day of October 1971, in the presence of

(L.S.)

J. H. Parkes,  
Assistant Secretary.

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#### EXPLANATORY NOTE

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

This Order provides for the application with modifications of regulations made under section 118 of the Judgments (Enforcement) Act (Northern Ireland) 1969 for the purposes of proceedings in the Enforcement of Judgments Office under the Payments for Debt (Emergency Provisions) Act (Northern Ireland) 1971.