

BY THE GOVERNOR AND PRIVY
COUNCIL OF NORTHERN IRELAND.

ABERCORN.

RULES OF THE SUPREME COURT
(NORTHERN IRELAND).

WHEREAS by Section 61 of the Supreme Court of Judicature (Ireland) Act, 1877, as amended by Section 12 of the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897, as those enactments apply to the Supreme Court of Judicature in Northern Ireland under and subject to the provisions of the Government of Ireland Act, 1920, the Irish Free State (Consequential Provisions) Act, 1922, the Supreme Court of Judicature (Northern Ireland) Order, 1921, and any other Order made by His Majesty in Council under either of the two last-mentioned Acts, it is provided that upon the recommendation and with the concurrence of a majority of all the Judges of the said Supreme Court of Judicature for the time being (of which the Lord Chief Justice of Northern Ireland shall be one) and one Barrister and one Solicitor (respectively practising in Northern Ireland), to be appointed for the purpose by the said Lord Chief Justice, by writing under his hand, for such time as may be specified by him, the Governor of Northern Ireland may, by Order in Council, make Rules of Court, and alter and annul any Rules of Court made under the enactments hereinbefore mentioned and for the time being in force in Northern Ireland:

And whereas certain Rules of Court entitled "The Rules of the Supreme Court (Ireland), 1905," are in force in Northern Ireland, under and subject to the provisions aforesaid and as altered from time to time by the Lord Lieutenant and the said Governor by Orders in Council:

And whereas, on the 28th day of July, 1924, a majority of all the Judges of the said Supreme Court of Judicature and the other persons upon whose recommendation the said Governor may make, alter or annul Rules of Court as respects Northern Ireland, present at a meeting for that purpose held (of which majority the Lord Chief Justice of Northern Ireland was one) have passed the resolutions set out respectively in the First and Second Schedules hereto for the making of certain further Rules of Court:

And whereas it is provided in effect by Section one of the Rules Publication Act, 1893, in its application to the said Supreme Court of Judicature, that at least forty days before making any Rules of that Court as Statutory Rules notice of the proposal to make the said Rules, and of the place where copies of the draft Rules may be obtained, shall be published in the Belfast Gazette:

And whereas under the provisions of the said Rules Publication Act, 1893, notice was given in the Belfast Gazette of the 29th day of August, 1924, of the proposal to make the Rules of Court for which the aforesaid resolutions were respectively passed, and of the place where copies of the draft Rules might be obtained; and all times have elapsed which are necessary for the making of the same as Statutory Rules:

Now I, James Albert Edward, Duke of Abercorn, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in pursuance and by virtue of the Supreme Court of Judicature (Ireland)

Act, 1877, as amended and applied to the said Supreme Court of Judicature as hereinbefore mentioned, and of all other powers enabling me in this behalf, and with the concurrence of a majority of all the Judges and the other persons hereinbefore mentioned and present at the meeting aforesaid, do order and declare that the Rules of Court set forth in the First and Second Schedules hereto shall, on and from the 25th day of October, 1924, take effect and be in force as Statutory Rules of Court.

Given at Clondeboye, Co. Down, this 24th day of October, 1924.

(Signed) JAMES CRAIG.
R. DAWSON BATES.
WILLIAM MOORE.
RICHARD BEST.

FIRST SCHEDULE.

We being a majority of the Judges of the Supreme Court of Judicature of Northern Ireland, and the other persons, pursuant to the twelfth Section of the Supreme Court of Judicature (Ireland) (No. 2) Act, 1897 (as adapted by Order in Council dated 21st day of November, 1921, made under the provisions of the Government of Ireland Act, 1920, which said latter Act was subsequently modified by the Irish Free State (Consequential Provisions) Act, 1922) upon whose recommendation the Governor of Northern Ireland may make, alter or annul Rules of Court, under the sixty-first Section of the Supreme Court of Judicature Act (Ireland), 1877, present at a meeting for that purpose held (of which majority the Lord Chief Justice of Northern Ireland is one) do, pursuant to the powers conferred on Us by the Government of Ireland Act, 1920, and the adaptation of the Judicature (Ireland) Acts, 1877 to 1897, made by said Order in Council, and of all other powers Us thereunto enabling hereby express our concurrence in an Order being made by the Governor of Northern Ireland in Council, making as Statutory Rules under the Rules Publication Act, 1893, the Rules of Court herein-after expressed and set forth.

(Signed) DENIS S. HENRY.
WILLIAM MOORE.
JAMES ANDREWS.
D. M. WILSON.
T. W. BROWN.
SAML. ROSS.
ARTHUR BLACK.

28th July, 1924.

ORDER XLIIa.

1. Any application under Section 9 (1) of the Administration of Justice Act, 1920 (10 and 11 Geo. 5, c. 81), for leave to have a judgment obtained in a superior court in any part of His Majesty's Dominions outside the United Kingdom to which Part II. of that Act applies, registered in the High Court in Northern Ireland shall be made ex parte or by summons to a judge. If the application is made ex parte the judge to whom it is made may direct a summons to be issued.

2. The application shall be supported by an affidavit of the facts exhibiting the judgment or a verified or certified or otherwise duly authenticated copy thereof and stating that to the best of the information and belief of the deponent the judgment creditor is entitled to enforce the judgment and the judgment does not fall within any of the cases in which under Section 9 (2) of the Act a judgment can not properly be ordered to be registered. The affidavit must also, so far as the deponent can, give the full name, title, trade or business, and usual or last known place of abode or business of the judgment creditor and judgment debtor respectively.

3. The affidavit and the summons (if any) shall be intituled—

"In the Matter of the Administration of Justice Act, 1920, Part II., and in the Matter of a Judgment of the..... (describing the court) obtained in..... (describing the cause or matter) and dated the.....day of.....19"

4. The summons (if any) for leave to register shall be an originating summons and (unless otherwise ordered by a judge) shall be served in the same