

fact or document to the notice of the Judge, or intends to rely on the fact that no dispute has arisen, or that no opportunity was given him of offering compensation or tendering amends, or alleges that the property was taken, occupied or destroyed in connection with an offence against the Regulations in the Schedule to the Act, or the Act, or intends to deny in whole or in part, the right or title of the Applicant to compensation, he shall, 5 clear days at least before the day fixed for proceeding with the Arbitration, file with the Clerk of the Peace an answer setting forth the matters which he disputes or upon which he intends to rely, or the grounds on, and extent to which, he denies liability.

(2) The Respondent shall, with such answer, deliver a copy thereof for the Judge, and shall forthwith serve a copy thereof on the Applicant.

(3) Subject to any answer so filed, and to the provisions of the next following paragraph, the liability to pay compensation under the Act shall be taken to be admitted.

(4) Provided that in case of non-compliance with this Rule, and of the Applicant's not consenting at the Arbitration to permit a Respondent to avail himself of any matter of which he should, pursuant to this Rule, have given notice by filing an answer, the Judge may, on such terms as he shall think fit, either proceed with the Arbitration and allow the Respondent to avail himself of such matter, or adjourn the Arbitration to enable the Respondent to file such answer.

12. (1) The Respondent may, at any time before the day fixed for proceeding with the Arbitration file with the Clerk of the Peace a Notice that he submits to an award for an amount (to be specified in such Notice) which he considers to be sufficient to cover his liability in the circumstances of the case, and further stating whether he admits or denies liability, and may, if he thinks fit, pay such sum into Court.

(2) The Respondent shall, forthwith, after such Notice is filed, serve notice thereof upon the Applicant.

(3) If the Applicant elects to accept, in satisfaction of his claim, the sum specified in the Respondent's Notice, he shall send to the Clerk of the Peace and to the Respondent by post, or leave at the Clerk of the Peace's Office, or at the Ministry of Home Affairs for Northern Ireland, a written notice, according to the Form in the Schedule, stating such acceptance within such reasonable time before the day fixed for proceeding with the Arbitration as the time of filing Notice of Submission by the Respondent has permitted.

(4) In case of such election to accept being made, and Notice of Acceptance given, the Judge may, on application made to him, forthwith make an award directing payment of such sum to the applicant.

(5) In default of Notice of Acceptance by the Applicant, the Arbitration may proceed, and the Judge shall not be bound to award the sum specified in the Respondent's Notice, but shall have full power to award any greater or smaller sum, or to refuse compensation altogether.

13. (1) The Judge may extend, or, for good cause shown, abridge the time for service or delivery of a request, or for filing or serving an answer, or for filing or serving any Notice or other document under these Rules.

Provided that this power shall be in addition to, and not in derogation of the powers of the Judge under the County Court (Ireland) Orders, 1890.

(2) The Judge shall have full power to amend any request, particulars, answer, notice or other document upon such terms as to him may seem meet.

14. (1) The service of any document directed by these Rules may be made by registered letter or in any of the modes in which an ordinary or Equity Civil Bill may be served.

Provided, however, that service need not be effected by a Civil Bill Officer.

(2) Where a document is served by post, it shall, unless the contrary is proved, be deemed to have been served in the ordinary course of post, and in proving the service of such document it shall be sufficient to prove that the same was properly addressed and registered.

(3) The Judge may, in any particular case, deem any service already effected good service, or may dispense with service or may direct any substituted or other mode of service.

15. (1) Subject to the special provisions of these Rules, the procedure in an Arbitration shall be the same as the procedure on the hearing of an Equity Civil Bill in the County Court, and the Judge shall have power to allow any evidence to be given on affidavit, and the statutory provisions and rules for the time being in force relating to such Equity Civil Bills shall, with the necessary modifications, apply to such Arbitration accordingly; and in the application of such provisions and rules, the applicant's request for Arbitration shall be deemed to be an Equity Civil Bill and the Applicant and Respondent shall be deemed to be plaintiff and defendant respectively.

(2) No statutory or other provision in force relating to Equity Civil Bills, and limiting the jurisdiction of the Judge by or in respect of the amount claimed or the amount or value of the property to which the proceedings relate or otherwise, shall apply to proceedings by way of Arbitration under the Act.

16. (1) The award of the Judge on any Arbitration shall be in writing signed by the Judge, and such award shall be enforceable in the same manner as a Decree or Order of the Court.

(2) The Judge shall have power at any time to correct any clerical mistake or error in such award arising from any accidental slip or omission.

17. (1) The County Court Judge, to whom any question in dispute under the Act has been referred for settlement may, at any time before deciding such question, appoint a fit and proper person to act as Arbitrator for the settlement of such question in dispute.

(2) Before appointing any person to act as Arbitrator, the County Court Judge shall ascertain that such person is willing to act if appointed.

(3) The appointment shall be made by an Order entitled as in the request, and may be made either upon or without the application of the parties or either of them.

18. Where any matter or thing is not specially provided for under these Rules, the same procedure shall be followed, and the same provisions shall apply as far as practicable as in a similar matter or thing under the County