
STATUTORY RULES OF NORTHERN IRELAND

1981 No. 225

County Court Rules (Northern Ireland) 1981

ORDER 47

Construction of deeds, wills, etc., and determination of rights of persons thereunder

Application

1.—(1) An application by any person claiming to be interested under a deed, will or other written instrument for the determination of any question of construction arising thereunder and for a declaration of the rights of persons interested shall be brought by equity civil bill.

(2) The civil bill shall be in Form 193 and, subject to Rule 2, shall be served on every person appearing to the plaintiff to have an interest in the question sought to be determined.

(3) The application shall be supported by such evidence as the judge may require.

Judge's powers as to service and representation

2. The judge at the hearing shall have power—

- (a) to dispense with service of the civil bill on such persons as he thinks fit;
- (b) to appoint some one or more than one person to represent a class;
- (c) to direct service of the civil bill on any person not served therewith and appearing to him to have an interest in the said question.

Equity rules and practice to apply

3. Where not otherwise expressly provided by these Rules the rules and practice for the time being in force in relation to civil bills in equity suits shall apply to all such applications as aforesaid.