
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART VI

PROTECTION OF CHILDREN

Rules of court and regulations

71.—(1) Without prejudice to Article 165 (rules of court) or any other power to make such rules, rules of court may be made with respect to the procedure to be followed in connection with proceedings under this Part.

(2) The rules may, in particular, make provision—

- (a) as to the form in which any application is to be made or direction is to be given;
- (b) prescribing the persons who are to be notified of—
 - (i) the making, or extension, of an emergency protection order; or
 - (ii) the making of an application under Article 64(3) or (7); and
- (c) as to the content of any such notification and the manner in which, and person by whom, it is to be given.

(3) The Department may by regulations provide that, where—

- (a) an emergency protection order has been made with respect to a child;
- (b) the applicant for the order was not the authority within whose area the child is ordinarily resident; and
- (c) that authority is of the opinion that it would be in the child's best interests for the applicant's responsibilities under the order to be transferred to it,

that authority shall (subject to its having complied with any requirements imposed by the regulations) be treated, for the purposes of this Order, as though it and not the original applicant had applied for, and been granted, the order.

(4) Regulations made under paragraph (3) may, in particular, make provision as to—

- (a) the considerations to which the authority shall have regard in forming an opinion as mentioned in paragraph (3)(c); and
- (b) the time at which responsibility under any emergency protection order is to be treated as having been transferred to an authority.