STATUTORY INSTRUMENTS

1997 No. 1894 (L.30)

MAGISTRATES COURTS

The Family Proceedings Courts (Matrimonial Proceedings etc) (Amendment) Rules 1997

Made	28th July 1997
Laid before Parliament	31st July 1997
Coming into force	1st October 1997

The Lord Chancellor, in the exercise of the powers conferred on him by section 144 of the Magistrates' Courts Act 1980(1) after consultation with the Rule Committee appointed under that section, hereby makes the following Rules—

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Family Proceedings Courts (Matrimonial Proceedings etc) (Amendment) Rules 1997 and shall come into force on 1st October 1997.

(2) The Family Proceedings Courts (Matrimonial Proceedings etc) Rules 1991(2) shall be amended in accordance with the following provisions of these Rules and, in those provisions, any reference to a rule by number alone shall be construed as a reference to the rule so numbered in the said Rules of 1991.

2. The heading to Part II shall be amended by inserting at the end "AND PROCEEDINGS UNDER PART IV OF THE FAMILY LAW ACT 1996(**3**)".

3. Rule 2(1) shall be amended—

- (a) by inserting, in the definition of "application" after the words "the Act", the words "or, as the case may be, the Family Law Act 1996";
- (b) by omitting, in the definition of "court", the words "(save where section 16(5) of the Act applies)";
- (c) by omitting the definition of "family protection order"; and
- (d) by substituting, for the definition of "form", the following-

^{(1) 1980} c. 43; the relevant amending enactment is the Courts and Legal Services Act 1990 (c. 41), Schedule 18, paragraph 25.

⁽²⁾ S.I.1991/1991; the relevant amending instrument is S.I. 1992/2068.

⁽**3**) 1996 c. 27.

""form" means a form in Schedule 1 to these Rules and, where a form is referred to by number, means the form so numbered in that Schedule, with such variation as the circumstances of the particular case may require;".

4. Rule 2(2) shall be amended by inserting at the end "or, as the case may be, in the Family Law Act 1996".

5. Rule 3(1) shall be amended by substituting, for the words "Subject to paragraphs (3) and (4),", the words "Subject to paragraph (3) and rule 3A,".

6. Rule 3(1)(b) shall be amended by omitting the words "save where section 16(6) of the Act applies," and "and, in the case of an application under section 16, at least one day,".

7. Rule 3(2)(a) shall be amended by omitting the words "which in the case of an application under section 16 shall be no later than 14 days after receipt of the application".

8. Rule 3(2)(c) and (4) shall be omitted.

9. After rule 3, there shall be inserted the following new rule—

"Applications under Part IV of the Family Law Act 1996

3A.—(1) An application for an occupation order or a non-molestation order under Part IV of the Family Law Act 1996 (Family Homes and Domestic Violence) shall be made in Form FL401.

(2) An application for an occupation order or a non-molestation order which is made in other proceedings which are pending shall be made in Form FL401.

(3) An application in Form FL401 shall be supported—

- (a) by a statement which is signed and is declared to be true; or
- (b) with the leave of the court, by oral evidence.

(4) An application in Form FL401 may, with the leave of the justices' clerk or of the court, be made ex parte, in which case

- (a) the applicant shall file with the justices' clerk or the court the application at the time when the application is made or as directed by the justices' clerk; and
- (b) the evidence in support of the application shall state the reasons why the application is made ex parte.

(5) An application made on notice (together with any statement supporting it and a notice in Form FL402) shall be served by the applicant on the respondent personally not less than 2 business days prior to the date on which the application will be heard.

(6) The court or the justices' clerk may abridge the period specified in paragraph (5).

(7) Where the applicant is acting in person, service of the application may, with the leave of the justices' clerk, be effected in accordance with rule 4.

(8) Where an application for an occupation order or a non-molestation order is pending, the court shall consider (on the application of either party or of its own motion) whether to exercise its powers to transfer the hearing of that application to another court and the justices' clerk or the court shall make an order for transfer in Form FL417 if it seems necessary or expedient to do so.

(9) Where an order for transfer is made, the justices' clerk shall send a copy of the order—

(a) to the parties, and

(b) to the family proceedings court or to the county court to which the proceedings are to be transferred.

(10) A copy of an application for an occupation order under section 33, 35 or 36 of the Family Law Act 1996 shall be served by the applicant by first-class post on the mortgagee or, as the case may be, the landlord of the dwelling-house in question, with a notice in Form FL416 informing him of his right to make representations in writing or at any hearing.

(11) The applicant shall file a statement in Form FL415 after he has served the application.

(12) Rule 33A of the Family Proceedings Courts (Children Act 1989) Rules 1991(4) (disclosure of addresses) shall apply for the purpose of preventing the disclosure of addresses where an application is made in Form FL401 as it applies for that purpose in proceedings under the Children Act 1989(5)."

10. Rule 4(4) shall be amended by omitting the words "Save where section 16(6) of the Act applies,"

11. Rules 7(4), 7(5)(a), 9(1), 10(1), 12(3), 12(4), 13(1), 14 and 16(2) shall be amended by omitting the words "under the Act".

12. Rule 8(2) shall be amended by omitting the words "Without prejudice to section 16(6) of the Act, and".

13. Rule 11 shall be amended by substituting, for the words "proceedings under the Act", the words "any proceedings".

14. After rule 12, there shall be inserted the following new rules—

"Hearing of applications under Part IV of the Family Law Act 1996

12A.—(1) This rule applies to the hearing of applications under the Part IV of the Family Law Act 1996 and the following forms shall be used in connection with such hearings:

(a) a record of the hearing shall be made on Form FL405, and

(b) any order made on the hearing shall be issued in Form FL404.

(2) Where an order is made on an application made ex parte, a copy of the order together with a copy of the application and of any statement supporting it shall be served by the applicant on the respondent personally.

(3) Where the applicant is acting in person, service of a copy of an order made on an application made ex parte shall be effected by the justices' clerk if the applicant so requests.

(4) Where the application is for an occupation order under section 33, 35 or 36 of the Family Law Act 1996, a copy of any order made on the application shall be served by the applicant by first-class post on the mortgagee or, as the case may be, the landlord of the dwelling-house in question.

(5) A copy of an order made on an application heard inter partes shall be served by the applicant on the respondent personally.

(6) Where the applicant is acting in person, service of a copy of the order made on an application heard inter partes may, with the leave of the justices' clerk, be effected in accordance with rule 4.

(7) The court may direct that a further hearing be held in order to consider any representations made by a mortgagee or a landlord.

⁽⁴⁾ S.I. 1991/1395; rule 33A was inserted by S.I. 1994/3156.

^{(5) 1989} c. 41.

Applications to vary etc orders made under Part IV of the Family Law Act 1996

12B. An application to vary, extend or discharge an order made under Part IV of the Family Law Act 1996 shall be made in Form FL403 and rules 12 and 12A shall apply to the hearing of such an application.".

15. For rules 20 and 21, there shall be substituted the following—

"Enforcement of orders made on applications under Part IV of the Family Law Act 1996

20.—(1) Where a power of arrest is attached to one or more of the provisions ("the relevant provisions") of an order made under Part IV of the Family Law Act 1996—

- (a) the relevant provisions shall be set out in Form FL406 and the form shall not include any provisions of the order to which the power of arrest was not attached; and
- (b) a copy of the form shall be delivered to the officer for the time being in charge of any police station for the applicant's address or of such other police station as the court may specify.

The copy of the form delivered under sub-paragraph (b) shall be accompanied by a statement showing that the respondent has been served with the order or informed of its terms (whether by being present when the order was made or by telephone or otherwise).

(2) Where an order is made varying or discharging the relevant provisions, the justices' clerk shall—

- (a) immediately inform the officer who received a copy of the form under paragraph (1) and, if the applicant's address has changed, the officer for the time being in charge of the police station for the new address; and
- (b) deliver a copy of the order to any officer so informed.

(3) An application for the issue of a warrant for the arrest of the respondent shall be made in Form FL407 and the warrant shall be issued in Form FL408 and delivered by the justices' clerk to the officer for the time being in charge of any police station for the respondent's address or of such other police station as the court may specify.

(4) The court before whom a person is brought following his arrest may—

- (a) determine whether the facts, and the circumstances which led to the arrest, amounted to disobedience of the order, or
- (b) adjourn the proceedings and, where such an order is made, the arrested person may be released and
 - (i) be dealt with within 14 days of the day on which he was arrested; and
 - (ii) be given not less than 2 business days' notice of the adjourned hearing.

Nothing in this paragraph shall prevent the issue of a notice under paragraph (8) if the arrested person is not dealt with within the period mentioned in sub-paragraph (b) (i) above.

(5) Paragraphs (6) to (13) shall apply for the enforcement of orders made on applications under Part IV of the Family Law Act 1996 by committal order.

(6) Subject to paragraphs (11) and (12), an order shall not be enforced by committal order unless

(a) a copy of the order in Form FL404 has been served personally on the respondent; and

- (b) where the order requires the respondent to do an act, the copy has been so served before the expiration of the time within which he was required to do the act and was accompanied by a copy of any order, made between the date of the order and the date of service, fixing that time.
- (7) At the time when the order is drawn up, the justices' clerk shall—
 - (a) where the order made is (or includes) a non-molestation order, and
 - (b) where the order made is an occupation order and the court so directs,

issue a copy of the order, indorsed with or incorporating a notice as to the consequences of disobedience, for service in accordance with paragraph (6).

(8) If the respondent fails to obey the order, the justices' clerk shall, at the request of the applicant, issue a notice in Form FL418 warning the respondent that an application will be made for him to be committed and, subject to paragraph (12), the notice shall be served on him personally.

(9) The request for issue of the notice under paragraph (8) shall be treated as a complaint and shall—

- (a) identify the provisions of the order or undertaking which it is alleged have been disobeyed or broken;
- (b) list the ways in which it is alleged that the order or undertaking has been disobeyed or broken;
- (c) be supported by a statement which is signed and is declared to be true and which states the grounds on which the application is made,

and, unless service is dispensed with under paragraph (12), a copy of the statement shall be served with the notice.

(10) If an order in Form FL419 (a committal order) is made, it shall include provision for the issue of a warrant of committal in Form FL420 and, unless the court otherwise orders—

- (a) a copy of the order shall be served personally on the person to be committed either before or at the time of the execution of the warrant; or
- (b) the order for the issue of the warrant may be served on the person to be committed at any time within 36 hours after the execution of the warrant.

(11) An order requiring a person to abstain from doing an act may be enforced by committal order notwithstanding that a copy of the order has not been served personally if the court is satisfied that, pending such service, the respondent had notice thereof either—

- (a) by being present when the order was made;
- (b) by being notified of the terms of the order whether by telephone or otherwise.

(12) The court may dispense with service of a copy of the order under paragraph (6) or a notice under paragraph (8) if the court thinks it just to do so.

(13) Where service of a notice to show cause is dispensed with under paragraph (12) and a committal order is made, the court may of its own motion fix a date and time when the person to be committed is to be brought before the court.

(14) Paragraphs (6) to (10), (12) and (13) shall apply to the enforcement of undertakings with the necessary modifications and as if

(a) for paragraph (6) there were substituted the following—

"(6) A copy of Form FL422 recording the undertaking shall be delivered by the justices' clerk to the party giving the undertaking

- (a) by handing a copy of the document to him before he leaves the court building; or
- (b) where his place of residence is known, by posting a copy to him at his place of residence; or
- (c) through his solicitor,

and, where delivery cannot be effected in this way, the justices' clerk shall deliver a copy of the document to the party for whose benefit the undertaking is given and that party shall cause it to be served personally as soon as is practicable.";

(b) in paragraph (12), the words from "a copy" to "paragraph (6) or" were omitted.

(15) Where a person in custody under a warrant or order, desires to apply to the court for his discharge, he shall make his application in writing attested by the governor of the prison showing that he has purged or is desirous of purging his contempt and the justices' clerk shall, not less than one day before the application is heard, serve notice of it on the party (if any) at whose instance the warrant or order was issued.

(16) The court by whom an order of committal is made may by order direct that the execution of the order of committal shall be suspended for such period or on such terms or conditions as it may specify.

(17) Where execution of an order of committal is suspended by an order under paragraph (16), the applicant for the order of committal must, unless the court otherwise directs, serve on the person against whom it was made a notice informing him of the making and terms of the order under that paragraph.

(18) The court may adjourn consideration of the penalty to be imposed for contempts found proved and such consideration may be restored if the respondent does not comply with any conditions specified by the court.

(19) Where the court makes a hospital order in Form FL413 or a guardianship order in Form FL414 under the Mental Health Act 1983(6), the justices' clerk shall—

- (a) send to the hospital any information which will be of assistance in dealing with the patient;
- (b) inform the applicant when the respondent is being transferred to hospital.

(20) Where a transfer direction given by the Secretary of State under section 48 of the Mental Health Act 1983 is in force in respect of a person remanded in custody by the court, the justices' clerk shall notify—

- (a) the governor of the prison to which that person was remanded; and
- (b) the hospital where he is detained,

of any committal hearing which that person is required to attend and the justices' clerk shall give notice in writing to the hospital where that person is detained of any further remand.

(21) An order for the remand of the respondent shall be in Form FL409 and an order discharging the respondent from custody shall be in Form FL421.

(22) In paragraph (4) "arrest" means arrest under a power of arrest attached to an order or under a warrant of arrest.

Applications under Part IV of the Family Law Act 1996: bail

21.—(1) An application for bail made by a person arrested under a power of arrest or a warrant of arrest may be made either orally or in writing.

- (2) Where an application is made in writing, it shall contain the following particulars—
 - (a) the full name of the person making the application;
 - (b) the address of the place where the person making the application is detained at the time when the application is made;
 - (c) the address where the person making the application would reside if he were to be granted bail;
 - (d) the amount of the recognizance in which he would agree to be bound; and
 - (e) the grounds on which the application is made and, where a previous application has been refused, full particulars of any change in circumstances which has occurred since that refusal.

(3) An application made in writing shall be signed by the person making the application or by a person duly authorised by him in that behalf or, where the person making the application is a minor or is for any reason incapable of acting, by a guardian ad litem acting on his behalf and a copy shall be served by the person making the application on the applicant for the Part IV order.

(4) The following forms shall be used:

- (a) the recognizance of the person making the application shall be in Form FL410 and that of a surety in Form FL411;
- (b) a bail notice in Form FL412 shall be given to the respondent where he is remanded on bail.".
- 16. For rule 24 there shall be substituted the following—

"Setting aside on failure of service

24. Where an application has been sent to a respondent in accordance with rule 4(1) and, after an order has been made on the application, it appears to the court that the application did not come to the knowledge of the respondent in due time, the court may of its own motion set aside the order and may give such directions as it thinks fit for the rehearing of the application."

17. For rule 25 there shall be substituted the following—

"Proceedings with respect to which a single justice may discharge the functions of a court

25. The following proceedings are prescribed as proceedings with respect to which a single justice may discharge the functions of a court, that is to say, proceedings—

- (a) in which an application is made ex parte for an occupation order or a nonmolestation order under Part IV of the Family Law Act 1996;
- (b) in accordance with rules 3, 3A(2), (6) and (8), 4, 6 (except paragraph (2)), 7 to 14 and 20(4).".

18. In Schedule 1—

- (a) forms MAT 8, 10, 11, 12 and 13 shall be omitted; and
- (b) at the end there shall be inserted the list of forms in Schedule 1 to these Rules and the forms in Schedule 2 to these Rules.

19. Subject to paragraph 10(3) of Schedule 9 to the Family Law Act 1996, rules 2 to 15, 17 and 18 shall not apply to proceedings commenced before Part IV of that Act came into force.

Dated 28th July 1997

Irvine of Lairg, C.

SCHEDULE 1

Rule 18

FAMILY PROCEEDINGS COURTS (MATRIMONIAL PROCEEDINGS ETC) (AMENDMENT) RULES 1997

FL401	Application for a non-molestation order/an occupation order
FL402	Notice of Proceedings [Hearing] [Directions Appointment]
FL403	Application to vary, extend or discharge an order in existing proceedings
FL404	Order or Direction
FL405	Record of Hearing
FL406	Power of Arrest
FL407	Application for a Warrant of Arrest
FL408	Warrant of Arrest
FL409	Remand Order
FL410	Recognizance of respondent
FL411	Recognizance of respondent's surety
FL412	Bail Notice
FL413	Hospital Order/Interim Hospital Order
FL414	Guardianship Order
FL415	Statement of Service
FL416	Notice to Mortgagees and Landlords
FL417	Transfer of proceedings to [the High Court] [a county court] [a family proceedings court]
FL418	Notice to show good reason why an order for your committal to prison should not be made
FL419	Order of Committal or other order upon proof of disobedience of a court order or breach of an undertaking
FL420	Warrant of Committal to prison
FL421	Notice of Discharge from Custody under Warrant of Committal
FL422	General Form of Undertaking

SCHEDULE 2

Rule 18

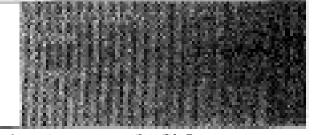
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Application for:

a non-molestation order an occupation order

Family Law, Soc (200) (Part 17).

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2 About the respondent

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3 The Order(s) for which yes are applying

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- Application for a non-molestation order

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6 Application for an occupation order

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Circle:

Application for a non-molecution order or occupation order. Notes for Guidance

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Section 6

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Section 6 (continued)-

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Section 6 (continued)

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Section 7

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Section 8

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Section 50

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Notice of Proce			1.1
[Hearing] [Directions /	Appendication		
	has applied to the so	estile succ	óes.
shout the [Bearing][Directions Appointment]			
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2	U		(m)
What to do send			
here is a copy of the application with this Notion. You have been lead the application arw, and the notes systems?.	control to a party in the s	ppliestos.	

When you go to court please take this Notice with you and show it to accourt efficial.

The Seland Periodical

Sigis 1	It is a your over briterative attend if evidence which you initial will help	even betweeping attend the neurinov the three shows on this firm. You should be ready to give sep- bicly you think will help you to put your visite of the same.	
Noted	For legal advice	gerte a stillaiter er en schritte signety.	
		You can obtain the address of a soliciter or so eables against three factors between the balance' Regimed Directory.	
		You will find these books at a 'Citizend' Advies Berres a Law Conte alocal Henry	
		A solution of an advice again by will be able to fall you whether you may be alighter for legal and	
Note 5	If you require an interpreter	because you do not qualifinglish, you must being your own.	
		because of a dissibility, plasse contact the coset to set, what help is available.	
Nue 4	To the respondent	the following information only upplies if the opplicant has sygfied for an occupation only	
		If the applicant has taken has 1,0 or 8 as page 6 of the application form, the sport will need any estimation without the following:	
		 the localing needs and resources of you, the applicant and any relevantiality 	
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		 the likely affect of any-order, or of any districts not to tasks as seeds, or the leadsh, softery and well being of yes, the applicant and any relevant child 	
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		 the constant of you and the applicant in relation to such other and otherwise 	
		 the length off-time that is maligned since you and the applicant consider live together. 	
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	the existence of any yourding proceedings between you and the applicant
	 under seeries 23A sehter Matchmonial Geory Ant 1973-Igroperty sejante-est-traines is consection with circons proceedings-etc.)
	8
	rander Rahadada 2 para 1(20)(f) or (c) of the Children. Act 2009 (action for Research cells/applent parents)
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	wheting to the logal or beneficial streamstily of the duralizing lange
ii da mide	applicant has toked less 3, the cost will need toy attakable on of:
	the lacesting wavelened resources of part, the applicant and any external child
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	this baugets of sizes which have alopsed alone percandicitier appeliance assaults live regarder
•	the existence of any peopleg proceedings between provided to applicant acales Schedule 1 pres 1(2)(4) or (r) of the Children Asy 1995, or printing to for legal or beneficial existentity of the doubling-brane.

# ~~ 13	polication to vary, extend or discharge order in existing proceedings () Contact (1996, New 17) resource to which yes are applying or most to which the selection of contract in action related to the selection of
1	About you (the applicant)
	State year dits, Still terrer, address, telephone (Spende net visit year of lease or in much increase size reporting member and date of birth (Foreign 13). (Spende net visit years of motion of the second state of birth of the second state of the second state of birth of the second state of the second
	Nets year solit/iter's asses, advisors, editrates, staginows, FAX and CX availables.
	E'you un abaady a party is far some, give your desardption (for example, applicant, respondent or other).
2	The order(i) for which you are applying <i>iteracianity</i> are supplying <i>iteracianity</i> are specific are gravity. I share the second of the second
	B'you are applying for an active to be varied as

extended please give details of the order which you would like the court to onsite:

Tollik implements a my consist indexp in order incuting presenting-

3 Your coses(s) for applying

State beloffy your rescore for applying.

4 Person(s) to be served with this application

For-each respondent to this application entry the title, bull more and address.

Signal (Applicant) O gas

	In the	Caro: Mambur
[Order]	[Direction] Number Leve Aut 1996	Shoat of

and the second second

	In the	Castar Maindeter
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Onlined by	(Mt)[Nix] Antice
	[File] [File] Monour Judge
	[Deputy] District Judge (of the Family Division)
	Anatom(n) of the Param
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	Clark of the Dourt
-00	

FLAT Side of Section

Orders under Family Law Act 1996 Part IV

(General Jacobics, followed ity History A or Matter 3 and succedent) options as appropriately

Mating A - only includes non-ordered tree order - genal nation matchings

Important Notice to the Respondent [name]

This order gives you instructions which you must follow. You should send it all corefully. If you do not understand anything in this order you should go to a selicitor, Legal Advice Centre or Citizens Advice Europe. You have a sight to ask the event to change as cancel the order but you must along it unless the court does change or cancel it.

You must abuy the instructions contained in this order. If you do not, you will be guilty of contempt of court, and you may be suit to private.

Markes B - artist data not durbale non-melionature ender - "penal nation discontinuary

Important Notice to the Respondent [norw].

This order gives you instructions which you must follow. Too should read it all contribuily. If you do not understand anything in this order you should go to a solicitor. Legal Advice Cantra or Officers Advice Barran. Too have a right to ask the court to change as saved the order but you must obey it unless the court does change or cancel it.

You must obey the instructions contained in this order. "IN you do not, you will be gathy of contempt of court, and you may be sent to prison.]

Occupation orders under (33 of the Family Law Act 1996)

 The court docharas that the applicant [name] is writtled to eccupy [address of large or initiation losse] as [higher] horse. OR

 The court declares that five applicant [cance] has matrix-social home nights in [obleves c/hane or intendol/level]. AND/OR

 The court declares the the applicant [name]'s matricantial home rights shall not and when the respondent [name] doe or their reactings is dissolved and shall continue until......er further order.

It is undered that:

 The respondent [same] shall effort the applicant [same] to compy [althus q/kowe or intenial lowe] OB.

 The respondent [name] shall allow the applicant [norm] to eccupy part of [address g/lower or introductioner] namely: [quarify part]

 The suspendent (name) shall not elatraci, haves so interfere with the applicant [name]'s presential accupation of [obliver of have or dutioned lines]

The respondent [rana] shall not carryy [ullbest c] icour or intended lates.] OR.

 The respondent [cause] shall non-nampy [address of lases or intended lases] from [quality-left] with [procify-left] OR.

 The sequenciest [mass1] shall not excupy [specify pert of solitons of home or intended level ANE/OR

The corporator? [name] shall not compy (without or part of address) between [specify alreasy times].

 The respondent [canal] shall leave [althest or part of address] [forthwith] [within [harsy/legt] at savies on [hirshef] of this order.] AND/OB.

 Having lob (whites or part of attimu), the respondent [name] shall not return to, cates as attempt to order [or go within [good]) shallow[st] is.

Occupation orders under 1925 & 56 of the Jacoby Law Act 1996.

It is undered that

 The applicant [name] has the right to excupy [address of home or introductions] and the respondent (name) shall allow the applicant [name] to do to OR.

 The respondent [name] shall not exist or exclude the applicant[name] iron [akbess of know or intended here] or any part of it namely [april]; part]. AND/OR

The respondent (name) shall not eccupy (address of how or introded hour). OR

 The respondent [same] shall not compy [ablent of longs or intended hose] item. [specify-date] total. [specify-date] OR

 The respondent [name] shall not encopy]specify part of others of isome or intended head] OR

 The respondent (neme) shall leave (address or part of address) [lotitectify [within [incry/lings] of service on [lobphar] of this order.] AND/OR.

 Having left (address or part of address), the respondence (name) shall not accurate, enter or attempt to enter (or go within (specify detected) of (a).

Occupation orders under as07 & 38 Family Late Act 1995

It is ordered that

 The respondent [name] shall allow the applicant [name] to eccupy [othere of lower or intended lower] or part of k namely: [apart/j]. AND/OR

 [One or both of the provisions in paragraphs 0 & 10 above may be inserted] AND/OR

 The proposition (carror) shall fourte (address or part of oddress) (institution) (within (instruction) of services on (initiality) of this order). AND/08.

 Having laft (address or part of address), the respondent (nerse) may not return to, order or attempt to enter [or go within [apacity distance] at] it.

Additional provisions which may be included in compation gaders made under sold, 35 or 36 of Family Low Act 1996

It is unlessed that

 The [apphaset [come]] [responded [come]] shall maintain and repair [olderss of here or intended herea) AND/OR.

 The [applicant [second] [sequences] shall pay the rest for [others of icons or intended.hence]. OB

25 The [applicent (none]] (respondent (none]] shall pay the manipage payments on [athen aftern or interded here]. OB.

 The [opplicent (name], [oppendent [name]] shall pay the following the [addess of house or indexial datase]: [open[5] antgoings or indist points].

 The [sorty is compution] shall pay to the [other perty] 6. each [reek, events, and [see [solidence/Flower etc].

 The (party in acception) shall loop and use the [involved [contents] [quarky if responses] at [address of home or intended home] and the [applicant (some)] (repeater) (some)] shall necess to the [party is acception] the [involved [contents] [quarky if accesses] [so into flow [inteffere]].

The [purity in computing] shall take consorrable care of the [functions] [contents] (specify dimensionary] of [collars at lower or intended lows].

[5]. The [party is non-puties] shall take all researcable steps to keep secure. [address of items or interchal lows] and the furniture or other contents (specify ("securery)].

Duration.

Occupation orders under s33 of the Family Law Act 1996

- This order shall last ordil (specify correlor dete), OR.
- This order shall last total a farther order is reade.

Occupation orders under sold & 37 of the Family Late Act 1996

 This codes shall last until [state date which soust not be more show 6 months from the date of this welve].

36. The comparison order made on [state dath] is estanded until [state date which want out is sume flux & months from the date of the estantion].

Occupation orders argin: asM & M Family Law Act 1986

 This order shall lass until [store date which must out be more than 6 months from the date of this order].

 The accupation order made on [date delt] is extended until [state date which sense set: in more first 6 mentils from the date of this extension! and must end on that date.

Non-molestation orders.

D to evidenced these

38. The respondent [name] is forbidden to use or threaten violence against the applicant [name] [and must not instruct, encrurage or in any may suggest that any other person should de co]. AND/OR

 The respondent [name] is invisible to initialize harms or paster [or [specify[] the applicast [name] [and must not instruct, entropying or in any way suggest that any other percent should dense]. AND/OR

40. The respondent [second] is invisible to use or threaten violence against the relevant child(sec) (nemeja (and data)) al birth [seed must not instruct, encrorange at in any way suggest that any other person should do so]. AND/OR

41. The respondent (name) is herbidden to intimidate, hause or paster [or [spec]]/[[the relevant child(see) [case(i)] and date(i) of Nith] [and must not instruct, encourage or in any one magger that any other person should do tol.

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dien erne das probine af densite endiciditationer af anar is probabaile is sheet		
Power of Arrest	The contribution of the descent of the sequences has used or (applicant) [land] [or] the following child[rot]	timenood violence spalest the
This Pewer of	[and that there is a risk of significant berry to the app attention to the conduct of the respondent if the p- internalistaly]. A power of amount is standard to the order whereby a given by weaking 47(6) of the Family Law Art 1994) the constraint has any constantity cause for respective of any provision to tellicit the power of acteur is star-	esser of sensitia not attached gy operatolia may (ander the parent parent without wassest the respitation If g that the respondent may be in breach
Ament applets wa		
Note to the Arresting: Officer	Where the respondent is accused under the power pl April 1006, that availant requires that the respondent exactly introduce thereast	
	and if the matter is not then disposed of Serberth.	
	Nucleing in section 47 satisfies the devention of the period of 24 hours beginning at the time of 56 stress The period of 24 hours shall not include Christman ((, polere reasonini by the exact.
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Coopera N	[Wai] [Hari] Manazi John	
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In the

Case Number

Application for a Warmart of Arrest

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EAST Application for a second of local

රාස්තා	In the	
		Case Number
	Warnant of Arrest Family Law Art 1996	
		Applicant Ref. Tempondent Ref.
The Court directo	all pales constables, the district judge and fallified (a smart the respondent whose address is (believed to be)	
The Court heard	and in large the respondent before this count instantial mapping in approach by (press, written statement) respondent had disategori the order made	-
	08	pragisinater") (Canaty) (High) Court
[Notice of bail]	Chamber, the veget dest shall be released as bein	
	 an extering intera mongoinacce in the sam of (X [and an providing []] must [y] [[an] in the sam of [[and subjective the following conditions: 	(i) end (s
The Heat Hearing is	jon journ day not at a time to be specified ()	n (m)(m)
Ordenal by	(20) (Mai) Justice (Mai) (Mai) Rescue Aulge	
	District Judge (of the Frank) Sustion(x) of the France (Sealater) Recorder	
Dares a Sola		

	In the		
		Care Number	
	Remand Order Junio Lee and 1995		
		Applicent	
		Def:	
		Rasposiant	
		N.	
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	(the suggestest by signified to, and detained in,		
[The Court			
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A Charge-right	and converged them by a	1	
	(and provide point index to that Harpeted within 7 days, a piece of activity, security	the suggestion is to be detailed or	
	and conveyed there by *	1	
The Court heard that	an order had been made on		
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	and that the requirilise half-discheyed the online by		
[The Court [heard] [considered]]	[the (website) are being of a medical graphicities, state	÷	
July Date to Ameri	as required by the previous of sectors 21 of the 24es supposited is sufficient from [evental if acts] [action of of the Act]	ed Nodé Aux 1980 that the ental impeirment) within the metering	

[Notice of ball]	(The respondont shall be calculated on hall)	
	 coversering, inter a econgetiment in the own of [2]. 	
	 [not in providing.] [norse]:[[ini]] in the new of [2]. [[and] [2]. 	п
	 [and subject to the following condition(x): [four a reading examination and report in made on the sugmedient anter antities of the biasted Health Act 2003.] 	39

The next bearing is		ei -	jand level
Onlowed by	[Mid [Min] Paster		
	(His) [Her] Henoue Istign		
	District Parks [of the Fourity Division]		
	Aution(a) of the People		
	(Asikting)Recoder		

In the

Case Number Recognizance of respondent Family Law Act 2994 Applicant 6<u>8</u>. Reportent M_{i} About you. Vour name. Year adds Your undertaking Typescalar to pay to the coast the sum of E #1 do not somply with the fullening condition. The condition is I appear below the sourt 64 622 -88 land (per) 61 or at any place place and time which may be ordered.

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For official use Trive before no				
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In the

	Case Number
	Recognizance of respondent's surety Testy Lee Ari 1994
	Applitant Raf Engender Raf
About the respondent Name	
Address	
About you (the survey) Your cause Your address	Energy on administration of a
Year undertaking Abort your undertaking	When you sign the undertaining bolow you agree to pay a sum of money if the suspendent drawner comply with the condition which billows.
The orderading:	I provide to pap to the cost the net off. If the respondent does not couply with the following condition.
Tecoseffice is that	the responsivel score appear before the court at:
	on at [ant] [not] or at any other place and illes which any be ordered. Nigned Date
Per efficial unc Tates infine ner genne und fals	figmt
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Magistrates' Court

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Magistrates' Court

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Magistrates' Court

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Magistrates' Court

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EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Proceedings Courts (Matrimonial Proceedings etc) Rules 1991 so as to provide for the making of applications under Part IV of the Family Law Act 1996 (Family Homes and Domestic Violence) and for the enforcement of orders made under that Part.

The 16 enables magistrates to set an order aside where there has been failure of service.