
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 322

The Family Proceedings Rules (Northern Ireland) 1996

Part V

Appeals

Appeal from a divorce county court to the Court of Appeal

5.1. R.S.C. Order 58 rule 4 and Order 59 shall apply with the necessary modifications to an appeal to the Court of Appeal under Article 48(9) of the Order of 1978(1) or Article 40(2) of or paragraph 10 of Schedule 1 to the Order of 1989 from a decree or order of a judge in divorce county court proceedings as if the reference to the High Court in Order 59 rule 10(1) were a reference to a divorce county court.

Appeal from the district judge

5.2.—(1) C.C.R. Order 14 rule 1(1)(f) (which enables the judge to vary or rescind an order by the district judge in the course of proceedings) shall not apply to an order or decision made or given by the district judge in family proceedings in a county court but any party may appeal from such an order or decision to a judge on notice filed within 5 days after the order or decision was made or given and served not later than 2 clear days before the day fixed for hearing of the appeal, which shall be heard in chambers unless the judge otherwise orders.

(2) Except so far as the court may otherwise order, an appeal under paragraph (1) shall not operate as a stay of proceedings on the order or decision appealed from.

(1) S.I.1978/1045 (N.I. 15) as amended by Article 185(1) and paragraph 96 of Schedule 9 to the Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))