

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Rule 11

**Form M32FORM OF NOTICE TO APPEAR IN PETITION FOR DECLARATION OF [PARENTAGE] [LEGITIMACY] [LEGITIMATION]**

Rule 3.29

To \_\_\_\_\_ of \_\_\_\_\_

Take notice that you (*insert name of respondent*) are a respondent to this petition and may, within 14 days of service of this petition (inclusive of the day of service), enter an appearance either in person or by your solicitor at (*insert address of relevant court office*) and make an answer to the petition. If you do not do so, the court will hear the petition and pronounce judgment in your absence.

This petition is filed and this notice to appear is issued by \_\_\_\_\_

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20 .

Master.

**NOTE:** Any person entering an appearance must at the same time provide an address for service in the jurisdiction.

**Form M33CERTIFICATE OF READINESS**

Rule 3.35

To the Master

I/We request that you enter this cause for hearing.

I/We certify on the part of the petitioner that—

- (1) there are no pending interlocutory proceedings;
- (2) the petitioner does not intend to commence any further interlocutory proceedings before trial;
- (3) so far as the petitioner is concerned, the cause is ready for trial.

(Signed)

Solicitor for petitioner

**Form M34DECLARATION OF PARENTAGE UNDER ARTICLE 31B OF THE MATRIMONIAL AND FAMILY PROCEEDINGS (NORTHERN IRELAND) ORDER 1989**

Rule 3.36

[In the High Court of Justice in Northern Ireland Family Division]

[In the Family Care Centre at \_\_\_\_\_ ]

Upon the petition of (*insert the name of the petitioner*) and upon hearing (*insert the name of the respondent*) it is hereby declared that [*is*][*is not*][*was*][*was not*]\* the parent of (*insert the name of the petitioner*).

Dated the \_\_\_\_\_ day of \_\_\_\_\_ 20 .

Signed

\*Delete as appropriate

**Form M35DECLARATION AS TO LEGITIMACY OR LEGITIMATION UNDER ARTICLE 32 OF THE MATRIMONIAL AND FAMILY PROCEEDINGS (NORTHERN IRELAND) ORDER 1989**

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Rule 3.36

[In the High Court of Justice of Northern Ireland

Family Division]

[In the Family Care Centre at ]

UPON the petition of (insert name of petitioner) and upon hearing the petitioner and (insert name of respondent), the respondent.

IT IS DECLARED\* that and (the petitioner's parents) were lawfully married at on the day of and that (insert name of petitioner) born at on the day of is the lawful child of his parents and [or where the petitioner was born before such marriage, and that by the said marriage (insert name of petitioner) [was][was not] legitimated for the purposes of the Legitimacy Act (Northern Ireland) 1928 as from the 4th June 1928, the date of the commencement of the said Act.] [or from the date of the said marriage] [or where section 1 of the Legitimacy Act (Northern Ireland) 1961 applies as from the date of commencement of the Legitimacy Act (Northern Ireland) 1961, 4th July 1961] [or as from the day of , the date of the said marriage (whichever is the later date).

Dated 2002

\*or where section 2 of the Legitimacy Act (Northern Ireland) 1961 applies, the following form shall be followed:

that, (insert name of petitioner), born on the day of at , the child of and who entered into a form of ceremony of marriage at on the day of [is][is not] by virtue of section 2 of the Legitimacy Act (Northern Ireland) 1961 to be treated as a legitimate child of the said and

\*or where section 8 of the Legitimacy Act (Northern Ireland) 1928 applies, the following form shall be followed:

that, because , the father of (insert name of petitioner) the said petitioner [was][was not] domiciled in Northern Ireland at the date of his marriage with (formerly ) and that the requirements of (country of domicile) law as to the legitimation of a person born out of wedlock, by the subsequent marriage of the parents of such a person [had][had not] been complied with, then by virtue of section 8 of the Legitimacy Act (Northern Ireland) 1928 the said and (formerly ) [were][were not] lawfully married at on the day of and that (insert name of petitioner) born at on the day of [is][is not] the lawful child of his parents the said and and that by the said marriage the said (insert name of petitioner) [was][was not] legitimated for the purposes of the Legitimacy Act (Northern Ireland) 1928 as from the date of the commencement of that Act 4th June 1928 [or the date of the marriage] (whichever is later).

\*or where there has been a legitimation (whether or not by virtue of the subsequent marriage of the petitioner's parents) which is recognised by the law of Northern Ireland and effected under the law of any other country the following form shall be followed:

that, because , the father of (insert name of petitioner), [was][was not] domiciled in at the date of his marriage with , (formerly ) and the requirements of (country of domicile) law as to the legitimation of a person born out of wedlock by the subsequent marriage of the parents of such a person [had][had not] been complied with, then, by virtue of the law in Northern Ireland, that the said and (formerly ) [were][were not] lawfully married at on the day of and that (insert name of petitioner), born at on the day of [is][is not] the lawful child of his parents, the said and and that, by the said marriage, (insert name of petitioner) [was] [was not] legitimated for the purpose of the law of Northern Ireland as from the date of the said marriage.

\*Delete as applicable.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Form M36 **TRANSFER OF PROCEEDINGS UNDER THE DECLARATIONS OF PARENTAGE (ALLOCATION OF PROCEEDINGS) ORDER (NORTHERN IRELAND) 2002**

Rule 3.38

[In the High Court of Justice in Northern Ireland]

[In the Family Care Centre at                    ]

The Court orders that the proceedings concerning the petition of (insert name of petitioner) be transferred to *(insert name of court)*

The next [hearing] [directions appointment] is on                    at

Please address all future correspondence to

Ordered by

On