
STATUTORY RULES OF NORTHERN IRELAND

2005 No. 497

**FAMILY PROCEEDINGS
SUPREME COURT
COUNTY COURTS**

The Family Proceedings (Amendment
No. 2) Rules (Northern Ireland) 2005

Made - - - - 7th November 2005

To be laid before Parliament

Coming into operation 5th December 2005

**THE FAMILY PROCEEDINGS (AMENDMENT
NO. 2) RULES (NORTHERN IRELAND) 2005**

1. Citation, commencement and interpretation
2. Amendment to the 1996 Rules
3. In rule 1.3 (Interpretation)— (a) in paragraph (1)—
4. In the heading for Part II, after “Matrimonial Causes” insert...
5. In rule 2.1 (Application for leave to present a petition...
6. In rule 2.3 (Cause to be begun by petition)—
7. In rule 2.6 (Presentation of petition)— (a) for paragraph (1)...
8. After rule 2.6 insert— Petition for nullity on ground of...
9. In rule 2.7 (Conciliation), in paragraph (1)—
10. In rule 2.9 (Service of petition), in paragraph (1), after...
11. After rule 2.10 insert— Acknowledgement of service of petition for...
12. In rule 2.10 (Proof of service), in paragraph (1)(a), after...
13. In rule 2.11 (Notice of intention to defend), in paragraph...
14. In rule 2.12 (Consent to the grant of a decree)—...
15. In rule 2.14 (Filing of answer to petition)—
16. After rule 2.14 insert— Answer praying for decree or order...
17. In rule 2.15 (Filing of reply and subsequent pleadings), in...
18. After rule 2.15 insert— Reply to answer praying for decree...
19. In rule 2.17 (Contents of answer and subsequent pleadings)—
20. In rule 2.21 (Service and amendment of pleadings), after “matrimonial...

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21. In rule 2.23 (Re-transfer of cause to divorce county court)—...
22. In rule 2.26 (Medical examination in proceedings for nullity), in...
23. In rule 2.28 (Entry for hearing and certificate of readiness)—...
24. After rule 2.29 insert— Stay under the Family Proceedings (Civil...
25. In rule 2.29A (Stay under Council Regulation)—
26. In rule 2.30 (Mode and place of trial), in paragraph...
27. In rule 2.31 (Setting down for trial), in paragraph (3),...
28. In rule 2.32 (Order for transfer of cause), in paragraph...
29. In rule 2.34 (Lists in the divorce county court), in...
30. In rule 2.35 (Right to be heard on ancillary questions),...
31. In rule 2.36 (Respondent’s statement as to arrangements for children),...
32. In rule 2.37 (Procedure for complying with Article 44 of...
33. In rule 2.39 (Restoration of matters adjourned, etc., at the...
34. In rule 2.42 (Evidence of marriage outside Northern Ireland)—
35. In rule 2.44 (Issue of writ of subpoena or witness...
36. In rule 2.45 (Hearsay and expert evidence), in paragraph (3),...
37. In rule 2.46 (Decrees and orders)— (a) in paragraph (1)—...
38. In rule 2.47 (Application for rescission of decree)—
39. In rule 2.48 (Application under Article 12(2) of the Order...
40. In rule 2.49 (Intervention to show cause by the Crown...
41. In rule 2.50 (Intervention to show cause by person other...
42. In rule 2.51 (Rescission of decree nisi by consent)—
43. In rule 2.52 (Decree absolute on lodging notice)—
44. In rule 2.53 (Decree absolute on application)—
45. After rule 2.54 insert— Indorsement and certificate of final order...
46. In rule 2.55 (Application by petitioner or respondent for ancillary...
47. In rule 2.57 (Application in Form M13 or M14), in...
48. In rule 2.58 (Application for ancillary relief after order of...
49. In rule 2.59 (Children to be separately represented on certain...
50. In rule 2.60 (General provisions as to evidence, etc, on...
51. In rule 2.61 (Evidence on application for property adjustment or...
52. In rule 2.67 (Transfer of application for ancillary relief: general...
53. In rule 2.68 (Transfer for purpose of expedition), for “divorce...
54. In rule 2.69 (Arrangements for hearing of application etc by...
55. In rule 2.70 (Request for periodical payments order at same...
56. In rule 2.71 (Application for order under Article 39(2)(a) of...
57. In rule 2.72 (Consent orders), in paragraph (1)—
58. In rule 2.73 (Pensions)— (a) for paragraph (2) substitute—
59. In rule 3.1 (Application by spouse for failure to maintain)—...
60. In rule 3.2 (Transfer to High Court of applications under...
61. In rule 3.3 (Hearing of applications under rule 3.1)—
62. In rule 3.4 (Application for alteration of maintenance agreement during...
63. In rule 3.5 (Application for alteration of maintenance agreement after...
64. In rule 3.7 (Application of other rules to proceedings under...
65. In rule 3.9 (Transfer of certain tenancies on divorce etc...
66. In rule 3.10 (Application for declaration as to marital status),...
67. After rule 3.10, insert— Application under section 181 of the...
68. In rule 3.11 (Procedure to be followed in relation to...
69. In rule 3.12 (Application for leave to apply for financial...
70. In rule 3.13 (Application for an order for financial relief...

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71. In rule 3.14 (Application for an order under Article 28...
72. In rule 3.24 (Application under Article 31B of the Order...
73. After rule 3.38 insert— Reference under section 8(5) of the...
74. In rule 4.5 (Application)— (a) in paragraph (1)(b), after “Forms”...
75. In rule 4.10 (Answer to application), in paragraph (1), after...
76. After rule 4.27 insert— Stay under the Council Regulation (1) An application for an order under Article 19 of...
77. In rule 5.1 (Appeal from a divorce county court to...
78. After rule 5.3, insert— Appeal under section 8(1) of the...
79. In rule 6.5 (Petition for nullity on ground of insanity,...
80. In rule 7.7 (Filing of documents at place of hearing,...
81. In rule 7.9 (Copies of Decrees and Order)—
82. In rule 7.12 (Inspection of documents retained in court), in...
83. After rule 7.13 insert— Documents in family proceedings concerning gender...
84. In rule 7.17 (Practice to be observed in the Matrimonial...
85. In rule 8.1 (Application), after the definition of “matrimonial order”...
86. In rule 8.2 (Attachment of debt due to judgment debtor),...
87. In rule 8.11 (Order imposing a charge on securities), in...
88. In rule 8.17 (Money in court: charging order), in paragraph...
89. In rule 8.27 (Attachment of earnings), for “matrimonial proceedings in...
90. In rule 8.29 (Application for issue of judgment summons), in...
91. In rule 8.31 (Special provisions as to judgment summonses in...
92. In rule 8.32 (Removal of divorce county court order into...
93. In rule 8.33 (Interpretation)— (a) for “Article 13” substitute “Article...
94. In rule 8.35 (Application for registration), for “Article 21(2)” substitute...
95. In rule 8.36 (Evidence in support of application), in paragraph...
96. In rule 8.37 (Order for registration)— (a) in paragraph (1),...
97. In rule 8.38 (Register of judgments), for “Article 21(2)” substitute...
98. In rule 8.39 (Notice of registration), in paragraph (1), for...
99. In rule 8.40 (Enforcement of judgment)— (a) in paragraph (1),...
100. In rule 8.41 (Application for recognition)— (a) in the heading,...
101. In rule 8.42 (Enforcement of judgments in other Contracting States) —...
102. In rule 8.43 (Authentic instruments and court settlements), for “Article...
103. After rule 8.43 insert the following new rules— Service of...
104. In Appendix 1 (Forms)— (a) in the list of forms—...
105. In Appendix 2 (Contents of Petition)— (a) in paragraph 1—...
106. Consequential and transitional provision
Signature

SCHEDULE	FORM TO BE INSERTED IN THE FAMILY PROCEEDINGS
1	RULES (NORTHERN IRELAND) 1996
SCHEDULE	FORM TO BE INSERTED IN THE FAMILY PROCEEDINGS
2	RULES (NORTHERN IRELAND) 1996

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SCHEDULE	FORM TO BE SUBSTITUTED IN THE FAMILY PROCEEDINGS
3	RULES (NORTHERN IRELAND) 1996
SCHEDULE	FORM TO BE INSERTED IN THE FAMILY PROCEEDINGS
4	RULES (NORTHERN IRELAND) 1996
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5	RULES (NORTHERN IRELAND) 1996
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8	RULES (NORTHERN IRELAND) 1996
SCHEDULE	FORM TO BE SUBSTITUTED IN THE FAMILY PROCEEDINGS
9	RULES (NORTHERN IRELAND) 1996
	Explanatory Note