
STATUTORY RULES OF NORTHERN IRELAND

2019 No. 238

The Magistrates' Courts (Miscellaneous Amendments) Rules (Northern Ireland) 2019

PART 3

Amendments to the Magistrates' Courts (Children (Northern Ireland) Order 1995) Rules (Northern Ireland) 1996

18. The Magistrates' Courts (Children (Northern Ireland) Order 1995) Rules (Northern Ireland) 1996 are amended as follows.

19. In Rule 1(3)—

- (a) omit the definition of “the Council Regulation”;
- (b) in the definition of “judgment”, omit “in accordance with Article 2(4) of the Council Regulation where it applies and”;
- (c) omit the definition of “Member State”;
- (d) in the definition of “parental responsibility”, omit “, and in relation to proceedings under the Council Regulation, as in Article 2(7) of that Regulation”.

20. In Rule 21A —

- (a) in the heading, omit “under Article 15 of the Council Regulation or”;
- (b) in paragraph (1), omit “Member State or”;
- (c) in paragraph (3)—
 - (i) omit “Member State or”;
 - (ii) omit “the Council Regulation or”;
- (d) in paragraph (5), omit “Member State or”;
- (e) in paragraph (6)—
 - (i) omit “Member State or”;
 - (ii) omit “authorities within the meaning of “court” in Article 2(1) of the Council Regulation and”.

21. In Rule 21B—

- (a) in the heading, omit “Member State or”;
- (b) in paragraph (1), omit “under Article 15(1) of the Council Regulation or”;
- (c) in paragraph (1)(a), omit “Member State or”;
- (d) in paragraph (1)(b), omit “another Member State or”.

22. In Rule 21C —

- (a) in the heading, omit “another Member State or”;

- (b) in paragraph (1)—
 - (i) omit “another Member State or”;
 - (ii) omit “under Article 15(2)(c) of the Council Regulation or”.
- 23.** In Rule 21D(1), omit “Article 15 of the Council Regulation or”.
- 24.** In Rule 21E—
 - (a) in the heading, omit “Article 15 of the Council Regulation or”;
 - (b) in paragraph (1)—
 - (i) omit “another Member State or”;
 - (ii) omit “under Article 15(2) of the Council Regulation or”.
- 25.** In Rule 21F—
 - (a) in the heading, omit “Member State or”;
 - (b) in paragraphs (1) and (3), omit “Member State or”.
- 26.** In Rule 21G—
 - (a) in the heading, omit “the Council Regulation or”;
 - (b) omit “Member State or”.
- 27.** In Rule 21H, omit from “any of Articles 16 to 18” to “Article 19 of the Council Regulation or”.
- 28.** In Rule 21I—
 - (a) in paragraph (1), omit sub-paragraph (a) and the “or” preceding sub-paragraph (b);
 - (b) in paragraphs (2) and (3), omit “Member State or”.
- 29.** In Rule 21J—
 - (a) in the heading, omit “Member State or”;
 - (b) in paragraph (1), omit “another Member State under Article 56 of the Council Regulation or”;
 - (c) in paragraph (2), omit “where the request is made under that Convention”;
 - (d) in paragraph (4), omit “Member”.
- 30.** In Rule 21K—
 - (a) in paragraph (1), omit from “Except as regards” to “the Council Regulation,”;
 - (b) in paragraph (2), omit “In the case of an application under the 1996 Hague Convention,”.
- 31.** Omit Rules 21L and 21M.
- 32.** For Rule 21N(f), substitute—
 - “(f) stating—
 - (i) whether the judgment provided for the payment of a sum or sums of money;
 - (ii) whether interest is recoverable on the judgment or part of it in accordance with the law of the Contracting State in which the judgment was given, and if so, the rate of interest, the date from which the interest is recoverable, and the date on which interest ceases to accrue;
 - (g) giving an address within the jurisdiction of the court for service of process on the party making the application and stating, so far as is known to the witness, the name

and the usual or last known address or place of business of the person against whom judgment was given.”.

33. In Rule 21P, omit “Member State or”.
34. In Rule 21R(2), omit “under Article 21(3) of the Council Regulation or”.
35. In Rule 21S—
 - (a) in paragraph (1), omit “, or for a certificate under Articles 39 or 42 of the Council Regulation,”;
 - (b) in paragraph (3), omit “Where the application is made for the purposes of applying for recognition of the order in another Contracting State,”.
36. Omit Rules 21T and U.
37. For Rule 21V(a)(i) substitute—
 - “(i) a copy of the application by which the proceedings were begun and a copy of all pleadings filed in the proceedings;”.
38. Omit Rules 21X and 21Y.