



2009 CHAPTER 6

Declarations of presumed death

Supplementary provisions as to declarations, etc.

8.—(1) A declaration made under section 1, and any application for such a declaration, must be in the prescribed form.

(2) Any application for a variation order must be in the prescribed form.

(3) Rules of court must make provision—

(a) as to the information required to be given to the High Court by—

(i) any applicant for a declaration under section 1;

(ii) any applicant for a variation order;

(b) requiring—

(i) notice of an application under section 1;

(ii) notice of an application for a variation order;

(iii) any information required to be given to the High Court in accordance with paragraph (a),

to be served by the applicant on the Registrar General and on such other persons as may be prescribed;

(c) requiring—

(i) an application for a declaration under section 1;

(ii) an application for a variation order,

to be advertised in such circumstances and in such manner as may be prescribed;

(d) as to the persons who are to be parties to the proceedings in relation to—

- (i) an application for a declaration under section 1;
 - (ii) an application for a variation order.
- (4) No proceedings under section 1 or section 5 shall affect any final judgment or order already pronounced or made by any court or tribunal.
- (5) The High Court may direct that the whole or any part of any proceedings under this Act must be heard in private.
- (6) An application for a direction under subsection (5) must be heard in private unless the Court otherwise directs.
- (7) In this section, “prescribed” means prescribed by rules of court.