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STATUTORY RULES OF NORTHERN IRELAND

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**2016 No. 301**

**FAMILY PROCEEDINGS**

COURT OF JUDICATURE

COUNTY COURTS

The Family Proceedings (Amendment)  
Rules (Northern Ireland) 2016

Made - - - - 4th July 2016

Coming into operation in accordance with Rule 1

The Family Proceedings Rules Committee makes the following Rules in exercise of the powers conferred by Article 12 of the Family Law (Northern Ireland) Order 1993(1).

**Citation, commencement and interpretation**

1.—(1) These Rules may be cited as the Family Proceedings (Amendment) Rules (Northern Ireland) 2016 and shall come into operation on the same day as section 1 of the Justice Act (Northern Ireland) 2015(2).

(2) In these Rules—

- (a) “the principal Rules” means the Family Proceedings Rules (Northern Ireland) 1996(3); and
- (b) a reference to an Order, rule, Appendix or Form is a reference to that Order, rule, Appendix or Form so numbered in the principal Rules.

**Amendments to the principal Rules**

2. The principal Rules are amended as follows—

(1) In rule 1.3—

- (a) in paragraph (1)—
  - (i) omit the definition of “chief clerk”;

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(1) [S.I. 1993/1576 \(N.I. 6\)](#), to which the most recent relevant amendment was made by the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/ 976)

(2) [2015 c.9 \(N.I.\)](#)

(3) [S.R. 1996 No. 322](#), to which the most recent relevant amendments were made by [S.R. 1999 No. 88](#); [S.R. 2003 No. 75](#); [S.R. 2005 No. 497](#); and [S.R. 2006 No. 304](#)

- (ii) omit the definition of “civil partnership proceedings county court”;
  - (iii) in the definition of “county court office”, omit “for the county court division in which proceedings are pending”;
  - (iv) omit the definition of “designated county court”; and
  - (v) omit the definition of “divorce county court”; and
- (b) omit paragraph (6).
- (2) In rule 2.6—
- (a) in paragraph (1)(a), for “any divorce” substitute “the”;
  - (b) in paragraph (1)(b), for “any civil partnership proceedings” substitute “the”; and
  - (c) in paragraph (5), omit “or at the office of the chief clerk at Enniskillen”.
- (3) In rule 2.14(4), for “a designated” substitute “the”.
- (4) In rule 2.23—
- (a) in the heading, for “designated” substitute “the”; and
  - (b) in paragraph (1), for “a designated” substitute “the”.
- (5) In rule 2.28(2), for “a designated” substitute “the”.
- (6) In rule 2.30—
- (a) in the heading, omit “and place”; and
  - (b) omit paragraph (2).
- (7) In rule 2.31(3), for “a designated” substitute “the”.
- (8) In rule 2.32—
- (a) in paragraph (1), for “A designated” substitute “The”; and
  - (b) omit paragraphs (2) and (3).
- (9) In rule 2.34—
- (a) in the heading, omit “designated”;
  - (b) in paragraph (1), omit “for each county court division” and “in that division”; and
  - (c) in paragraph (2)(b), omit “division”.
- (10) In rule 2.44(2), for “a designated” substitute “the”.
- (11) In rule 2.45(3), for “a designated” substitute “the”.
- (12) In rule 2.46—
- (a) in paragraph (1)(b), for “a designated” substitute “the”; and
  - (b) in paragraph (2), for “a designated” substitute “the”.
- (13) In rule 2.49(1), for “a designated” substitute “the”.
- (14) In rule 2.50(9), for “a designated” substitute “the”.
- (15) In rule 2.51(2), for “a designated” substitute “the”.
- (16) In rule 2.54(2)(b), for “a divorce” substitute “the”.
- (17) In rule 2.54A(2)(b), for “a civil partnership proceedings” substitute “the”.
- (18) In rule 2.57(a), for “a designated” substitute “the”.
- (19) In rule 2.59(1), for “a designated” substitute “the”.
- (20) In rule 2.67—
- (a) in paragraphs (1) to (5) for “a designated” substitute “the” in each place where it occurs;

- (b) omit paragraph (7); and
- (c) in paragraph (8), for “(1), (3) or (7)” substitute “(1) or (3)”.
- (21) In rule 2.68, for “a designated” substitute “the” in both places where it occurs.
- (22) In rule 2.69-
  - (a) in paragraph (3), omit “divorce”; and
  - (b) in paragraph (4), omit “civil partnership proceedings”.
- (23) In rule 3.2(1), for “a designated” substitute “the”.
- (24) In rule 3.3(2), for “a designated” substitute “the”.
- (25) In rule 4A.1, in the definition of “the Office” omit “for the county court division in which proceedings are pending”.
- (26) In rule 5.1—
  - (a) in the heading, for “a designated” substitute “the”; and
  - (b) for “a designated”, in both places where it occurs, substitute “the”.
- (27) In Rule 5.3(2), omit “for the county court division in which the appeal will be heard”.
- (28) In rule 7.17—
  - (a) in the heading, for “designated” substitute “the”; and
  - (b) for “designated” substitute “the”.
- (29) In rule 8.27, for “a designated” substitute “the”.
- (30) In rule 8.31, in the heading, omit “designated”.
- (31) In rule 8.32, in the heading, omit “designated”.
- (32) In Appendix 1—
  - (a) in Forms M1 to M4, in the title, omit “for the Division of”;
  - (b) in Form M8, for “designated” substitute “the”;
  - (c) in Forms M18, M20, M21, M26 and M26A, in the title, omit “for the Division of”;
  - (d) in Forms C1 to C3, in the title, omit “Designated” and “for the Division of”;
  - (e) in Form C3A, in the title, omit “Divorce” and “for the Division of”;
  - (f) in Forms C4, C6 to C17 and C20 to C42, in the title, omit “Designated” and “for the Division of”;
  - (g) in the title of Form C43, omit “Designated” and, in each place where it occurs, “for the Division of”;
  - (h) in the title of Forms F1 to F8, omit “Designated” and “for the Division of”;
  - (i) in the title of Form F9, omit “Designated” and, in each place where it occurs, “for the Division of”;
  - (j) in the title of Forms F10, F11 and F13 to F17, omit “for the Division of”; and
  - (k) in the title of Forms A1 and A2, omit “for the Division of”;

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

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*Declan Morgan  
John O'Hara  
Siobhan Keegan  
Hilary Wells  
Noreen Sweeney  
Henry Toner  
Geoffrey Miller*

Dated 4th July 2016

In the exercise of the powers conferred by Article 12A(2) of the Family Law (Northern Ireland) Order 1993, I allow these Rules.  
Sealed with the Official Seal of the Department of Justice on 19th July 2016



*Claire Sugden*  
Minister of Justice

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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Family Proceedings Rules (Northern Ireland) 1996 ([S.R. 1996 No.322](#)) to take account of Part 1 of and Schedule 1 to the Justice Act (Northern Ireland) 2015 which creates a single jurisdiction for county courts and magistrates' courts whereby the jurisdiction and powers of those courts are exercisable throughout the whole of Northern Ireland.