STATUTORY RULES OF NORTHERN IRELAND

2012 No. 190

MAGISTRATES' COURTS

The Magistrates' Courts (Declarations of Parentage) (Amendment) Rules (Northern Ireland) 2012

Made - - - -	*16th May 2012*
Coming into operation -	*6th June 2012*

The Magistrates' Courts Rules Committee makes the following Rules in exercise of the powers conferred in Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**a**), after consultation with the Department of Justice and with the agreement of the Lord Chief Justice.

Citation and commencement

1. These Rules may be cited as the Magistrates' Courts (Declarations of Parentage) (Amendment) Rules (Northern Ireland) 2012 and shall come into operation on 6th June 2012.

2. These Rules shall apply to proceedings commenced on or after 6th June 2012.

3. These Rules amend the Magistrates' Courts (Declarations of Parentage) Rules (Northern Ireland) 2002(**b**).

Amendments

4. In rule 5—

(a) at the end of paragraph (3)(c) insert "; and";

(b) after paragraph (3)(c) insert—

"(d) Form FL3 for giving notice of the proceedings to the Attorney General.";

(c) for paragraph (5) substitute—

"The clerk of petty sessions shall send the Form FL3, together with a copy of the application and every document accompanying it, to the Attorney General and if the Attorney General intends to intervene in the proceedings, the clerk of petty sessions shall be notified within 14 days of receipt of the FL3 and other documents."; and

(d) omit paragraph (6).

5. In rule 6—

(a) in paragraph (2) for "Crown Solicitor" substitute "Attorney General"; and

(**a**) S.I. 1981/1675 (N.I. 26); Article 13 was amended by paragraph 133 of Schedule 18 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010 No. 976); and paragraph 65 of Schedule 5 to the Constitutional Reform Act 2005 (c.4)

(**b**) S.R. 2002 No.158

(b) in paragraph (4) for "Crown Solicitor" in each place that it occurs, substitute "Attorney General".

6. For rule 9 substitute—

"The clerk of petty sessions shall send the Attorney General a copy of any answer if the court has received notification that the Attorney General wishes to intervene in the proceedings".

7. In rule 11 for "Crown Solicitor" in each place that it occurs, substitute "Attorney General".

8. In rule 13 for "Crown Solicitor" substitute "Attorney General".

9. In rule 14 for "Crown Solicitor" substitute "Attorney General".

W.A McNally
Nigel Broderick
John Rea
Peter Luney

Dated 16th May 2012

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Magistrates' Courts (Declarations of Parentage) Rules (Northern Ireland) 2002 (S.R.2002 No.158) to provide for—

- notice of the proceedings and other documents to be served directly on the Attorney General;
- the clerk of petty sessions to send the notice of the proceedings to the Attorney General; and
- the Attorney General to be sent a copy of the application and every document accompanying it at the same time as the notice of the proceedings is served.

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