

1990 No. 212**EVIDENCE****The Blood Tests (Evidence of Paternity) (Amendment) Regulations (Northern Ireland) 1990**

Made 5th June 1990

Coming into operation 10th July 1990

To be laid before Parliament

The Secretary of State, in pursuance of Article 10 of the Family Law Reform (Northern Ireland) Order 1977(a), hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Blood Tests (Evidence of Paternity) (Amendment) Regulations (Northern Ireland) 1990 and shall come into operation on 10th July 1990.

Interpretation

2. In these regulations the “1978 Regulations” means the Blood Tests (Evidence of Paternity) Regulations (Northern Ireland) 1978(b).

Amendment to form of report by tester

3. In Part I of Form 2 in Schedule 1 to the 1978 Regulations, for the words “a blood group investigation (the details of which are given in Part II of this Report) of” there shall be substituted the words “blood tests (the details of which are given in Part II of this Report) on samples provided by”, and in Part II for the words “BLOOD GROUPING REPORT” there shall be substituted the words “TEST REPORT”.

Abolition of maximum charges payable to testers

4. Part II of Schedule 2 to the 1978 Regulations shall cease to have effect.

Increase in charges payable to samplers

5. For Regulation 13 of the 1978 Regulations there shall be substituted the following regulations:—

“13. Until 31st December 1990, the charge which may be made by a sampler in respect of a matter specified in Schedule 2 shall be that set down opposite thereto in the first column of that Schedule and, from 1st January 1991, the charge which may be so made shall be that so set down in the second column of that Schedule.”

(a) S.I. 1977/1250 (N.I. 17)

(b) S.R. 1978 No. 379 as amended by S.R. 1989 No. 183

6. For Part I of Schedule 2 to the 1978 Regulations there shall be substituted the Schedule set out in the Schedule to these regulations.

Northern Ireland Office
5th June 1990

P. L. Brooke
One of Her Majesty's Principal
Secretaries of State

SCHEDULE 2

Charges made by Samplers

The charges which may be made by a sampler in respect of one direction requesting him to take samples shall be as follows:—

	<i>Until 31st December 1990 (The previous charge is shown in brackets)</i>		<i>From 1st January 1991</i>
	£	£	£
For making all necessary arrangements (whether or not samples are taken)	14·60	(13·60)	14·90
For making further arrangements (whether or not samples are taken) to give effect to a variation by the court of a direction	14·60	(13·60)	14·90
For taking samples:—			
from first subject	14·60	(13·60)	14·90
from each subject after first	7·30	(6·80)	7·50
For taking second or subsequent samples from one or more subjects:—			
if one such sample	14·60	(13·60)	14·90
if two such samples	21·90	(20·40)	22·40
if three or more such samples	36·40	(34·10)	37·30

(This note is not part of the Regulations.)

Part III of the Family Law Reform (Northern Ireland) Order 1977 makes provision for the use of blood tests in determining paternity in civil proceedings. Under Article 8 of that Order the court may give a direction for the use of blood tests.

These Regulations amend the Blood Tests (Evidence of Paternity) Regulations (Northern Ireland) 1978 (which prescribe the manner of giving effect to a direction under Article 8) by amending the prescribed test report form; abolishing the maximum charge which may be made by blood testers; and by increasing the charges which may be made by blood samplers.

Regulation 3 makes minor amendments to Form 2 in Schedule 1 to the 1978 Regulations so that the range of blood tests is not limited to blood group investigation. For example, these amendments will permit the use of the testing technique known as Deoxyribonucleic Acid (or "DNA") profiling, also known as "genetic fingerprinting".

Regulation 4 revokes the table of fees payable to testers specified in Part II of Schedule 2 to the 1978 Regulations.

Regulations 5 and 6 increase the charges which may be made by samplers by substituting a new Schedule 2 to the 1978 Regulations. These charges were last increased in June 1989 by the Blood Tests (Evidence of Paternity) (Amendment) Regulations (Northern Ireland) 1989 (S.R. 1989 No. 183). The charges are increased in two stages. The increased charges to be made until 31st December 1990 are set down in the first column of Schedule 2 to the 1978 Regulations, as substituted by these Regulations, and the charges to be made from 1st January 1991 in the second column of the Schedule as so substituted.