
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 322

The Family Proceedings Rules (Northern Ireland) 1996

Part II

Matrimonial causes

Petition, pleadings and amendment

Supplemental petition, pleadings and amendment of petition

- 2.13.**—(1) A supplemental petition may be filed only with leave.
- (2) A petition may be amended without leave before it is served but only with leave after it has been served.
- (3) Subject to paragraph (4), an application for leave under this rule—
- (a) may, if every opposite party consents in writing to the supplemental petition being filed or the petition being amended, be made *ex parte* by lodging in the Matrimonial Office the supplemental petition or a copy of the petition as proposed to be amended, together with the appropriate consent, and
 - (b) shall, in any other case, be made by summons to be served, unless the court otherwise directs, on every opposite party.
- (4) The Master may, if he thinks fit, require an application for leave to be supported by an affidavit.
- (5) An order granting leave shall—
- (a) where any party has given notice of intention to defend, fix the time within which his answer must be filed or amended,
 - (b) where the order is made after the certificate of readiness has been lodged, provide for a stay of the hearing until after the certificate has been renewed.
- (6) An amendment authorised to be made under this rule shall be made by filing a copy of the amended petition.
- (7) Rules 2.5 and 2.8 shall apply to a supplemental or amended petition as they apply to the original petition.
- (8) Unless the court otherwise directs, a copy of a supplemental or amended petition, together with a copy of the order (if any) made under this rule shall be served on every respondent and co-respondent named in the original petition or in the supplemental or amended petition.
- (9) Rules 2.9 and 2.10 shall apply to a respondent or co-respondent named in the original petition or in the supplemental or amended petition as they apply in relation to a person required to be served with an original petition.