

---

STATUTORY RULES OF NORTHERN IRELAND

---

**1996 No. 323**

**Magistrates' Courts (Children (Northern Ireland)  
Order 1995) Rules (Northern Ireland) 1996**

**Service**

9.—(1) Rule 11 of the Magistrates' Courts Rules (Northern Ireland) 1984 shall apply to the service of a summons under these Rules.

(2) Service of any other document under these Rules may be effected—

- (a) if the person to be served is not known by the person serving to be acting by solicitor—
  - (i) by delivering it to him personally, or
  - (ii) by delivering it at, or by sending it by first class post to, his residence or his last known residence, or
- (b) if the person to be served is known by the person serving to be acting by solicitor—
  - (i) by delivering the document at, or sending it by first class post to, the solicitor's address for service,
  - (ii) where the solicitor's address for service includes a numbered box at a document exchange, by leaving the document at that document exchange or at a document exchange which transmits documents on every business day to that document exchange, or
  - (iii) by sending a legible copy of the document by facsimile transmission to the solicitor's office.

(3) In this rule, "first class post" means first class post which has been pre-paid or in respect of which pre-payment is not required.

(4) Where a child who is a party to any relevant proceedings is required by these rules to serve a document, service shall be effected by—

- (a) the solicitor acting for the child,
- (b) where there is no such solicitor, the guardian ad litem, or
- (c) where there is neither such a solicitor nor a guardian ad litem, the clerk of petty sessions.

(5) Service of any document on a child shall, subject to any direction of the court, be effected by service on—

- (a) the solicitor acting for the child,
- (b) where there is no such solicitor, the guardian ad litem, or
- (c) where there is neither such a solicitor nor a guardian ad litem, with leave of the court, the child.

(6) Where the court refuses leave under paragraph (5)(c), a direction shall be given under paragraph (8).

(7) A document shall, unless the contrary is proved, be deemed to have been served—

- (a) in the case of service by first class post, on the second business day after posting, and

---

**Status:** This is the original version (as it was originally made).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

---

- (b) in the case of service in accordance with paragraph (1)(b)(ii), on the second business day after the day on which it is left at the document exchange.
- (8) In any relevant proceedings, where these rules require a document to be served, the court may, without prejudice to any power under rule 15, direct that—
  - (a) the requirement shall not apply;
  - (b) the time specified by the rules for complying with the requirement shall be abridged to such extent as may be specified in the direction;
  - (c) service shall be effected in such manner as may be specified in the direction.