

2002 No. 240

COUNTY COURTS

**County Court (Blood Tests) (Amendment) Rules
(Northern Ireland) 2002**

Made *6th July 2002*

Coming into operation *12th August 2002*

We, the County Court Rules Committee, appointed by the Lord Chancellor under Article 46 of the County Courts (Northern Ireland) Order 1980(a), in exercise of the powers conferred on us by Article 47 of that Order, hereby make the following Rules: –

Citation and interpretation

1.—(1) These Rules may be cited as the County Court (Blood Tests) (Amendment) Rules (Northern Ireland) 2002.

(2) In these Rules “the 1978 Rules” means the County Court (Blood Tests) Rules (Northern Ireland) 1978(b) and a reference to a Form by number alone is a reference to the Form so numbered in the Schedule to those Rules.

Amendment of the 1978 Rules

2. In the 1978 Rules –

- (a) for the words “blood samples”, wherever they appear, substitute the words “bodily samples”; and
- (b) for the words “blood tests”, wherever they appear, substitute the words “scientific tests”.

3. In Form No. 1 and Form No. 2 –

- (a) in the heading for the words “Blood Test” substitute the words “Scientific Test”;
- (b) for the words “blood samples”, wherever they appear, substitute the words “bodily samples”; and
- (c) for the words “blood tests”, wherever they appear, substitute the words “scientific tests”.

Saving

4. The amendments made to the 1978 Rules by these Rules shall not apply in respect of proceedings commenced before these Rules come into operation.

(a) S.I. 1980/397 (N.I. 3)
(b) S.R. 1978 No. 378 as amended by S.R. 1979 No. 114

We, the undersigned members of the County Court Rules Committee, having by virtue of the powers vested in us in this behalf made the foregoing Rules, do hereby certify the same under our hand and submit them to the Lord Chancellor accordingly.

A. R. Hart

J. J. Curran

H. Keegan

Barry Valentine

Brian F. Walker

James A. Agnew

B. J. Stewart

P. J. Kelly

Brian Kennedy

Dated 13th June 2002.

After consultation with the Lord Chief Justice, I allow these Rules, which shall come into operation on 12th August 2002.

I concur

Dated 6th July

Irvine of Lairg, C.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules amend the County Court (Blood Tests) Rules (Northern Ireland) 1978 to take account of recent amendments made to Part III of the Family Law Reform (Northern Ireland) Order 1977 by section 3 of the Family Law Act (Northern Ireland) 2001 (C. 12). Previously, Part III of the 1977 Order permitted blood tests to be used to determine paternity in civil proceedings. The amendments make it possible for samples to be taken of bodily fluid and bodily tissue (eg. hair, skin, saliva), rather than simply blood, and for scientific tests to be used to determine whether a person is the mother of the person whose parentage falls to be determined, as well as whether a person is the father.

£1.75

Published by The Stationery Office Limited



Printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty's Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly
Dd. N550. C3. 7/02. Gp. 130. 14567.