

1973. No. 495

[C]

MAGISTRATES' COURTS**Maintenance Proceedings**

RULES, DATED 7TH DECEMBER 1973, MADE BY THE SECRETARY OF STATE UNDER SECTION 23 OF THE MAGISTRATES' COURTS ACT (NORTHERN IRELAND) 1964.

In exercise of the powers conferred on me by section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(a) and section 1(1) of the Northern Ireland (Temporary Provisions) Act 1972(b) and of every other power enabling me in that behalf, on the recommendation of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, I hereby make the following Rules:—

Citation

1. These Rules may be cited as the Magistrates' Courts (Maintenance Proceedings) Rules (Northern Ireland) 1973.

Birth certificate to be lodged in maintenance proceedings

2. In proceedings upon a complaint under section 1 of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945(c) where an order is sought under section 3(1)(d) of that Act, or by a wife under section 96(3)(b) of the Magistrates' Courts Act (Northern Ireland) 1964 for variation of any such order, the complainant shall lodge with the clerk of petty sessions before the hearing of the complaint, where the birth of the child in respect of which the order is sought has been registered, a copy of the entry relating to its birth in the Register of Births or, where it has been adopted, a copy of the entry in the Adopted Children Register, as the case may be.

Dated this 7th day of December 1973.

Francis Pym,
One of Her Majesty's Principal
Secretaries of State.

(a) 1964. c. 21 (N.I.).
(b) 1972. c. 22.

(c) 1945. c. 14.

EXPLANATORY NOTE

(This note is not part of the Rules, but is intended to indicate their general purport.)

These Rules require a married woman in proceedings under the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945 who is claiming maintenance in respect of a child to lodge in court before the hearing a copy of its birth certificate or certificate of adoption.