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STATUTORY INSTRUMENTS

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**1981 No. 552**

The Magistrates' Courts Rules 1981

AFFILIATION ORDERS

**Time for hearing affiliation summons**

**35.**—(1) The time at which a summons issued under section 1 of the Affiliation Proceedings Act 1957<sup>(1)</sup>, shall require the defendant to appear shall be after the day on which the birth of the child is expected.

(2) If at the time when such a summons requires the defendant to appear before a magistrates' court the complainant has not been delivered of the child, or has been so recently delivered that she is unable to appear, the court shall adjourn the hearing until a time after the complainant has been delivered and when she is able to appear.

(3) Paragraph (2) shall apply to the non-appearance of the complainant at the time fixed on any such adjournment as aforesaid as it applies to the time specified in the summons.