STATUTORY RULES OF NORTHERN IRELAND

2006 No. 304

FAMILY PROCEEDINGS
SUPREME COURTS
COUNTY COURTS

The Family Proceedings (Amendment) Rules (Northern Ireland) 2006

Made - - - -	*4th July 2006*
To be laid before Parliament	
Coming into operation	*1st August 2006*

The Family Proceedings Rules Committee makes the following Rules in exercise of the powers conferred by Article 12 of the Family Law (Northern Ireland) Order 1993(**1**).

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Family Proceedings (Amendment) Rules (Northern Ireland) 2006 and shall come into operation on 1st August 2006.

(2) In these Rules a reference to a rule by number alone is a reference to the rule so numbered in the Family Proceedings Rules (Northern Ireland) 1996(**2**) ("the 1996 Rules").

Amendment to the 1996 Rules

2. In rule 1.3 (Interpretation), in paragraph (1)—

(a) in the definition of "civil partnership proceedings county court", after "Lord Chancellor" insert "with the concurrence of the Lord Chief Justice"; and

(b) in the definition of "divorce county court", after "Lord Chancellor" insert "with the concurrence of the Lord Chief Justice".

3. In rule 2.28 (Entry for hearing and certificate of readiness)—

(a) in paragraph (3), for "The party lodging the certificate of readiness" substitute "Where a cause is defended, the party lodging the certificate of readiness"; and

(**1**) S.I. 1993/1576 (N.I. 6).
(**2**) S.R. 1996 No. 322 as amended by S.R. 1999 No. 88, S.R. 2000 No. 329, S.R. 2002 No. 137, S.R. 2003 No. 75, S.R. 2005 No. 144, S.R. 2005 No. 497 and S.R. 2005 No. 558.

(b) in paragraph (4), before "there are any further proceedings" insert "a cause is defended and".

4. In rule 2.31 (Setting down for trial)—

(a) in paragraph (3), omit "and the bundle of pleadings"; and

(b) in paragraph (4), omit "and the bundle of pleadings".

5. After rule 2.73 insert—

"Pension Protection Fund

2.73A.—(1) This rule applies where—

(a) rule 2.73 applies; and

(b) the party with pension rights or the civil partner with pension rights ("the member") receives or has received notification in compliance with the Pension Protection Fund (Provision of Information) Regulations (Northern Ireland) 2005(**3**) ("the 2005 Regulations")—

(i) from the person responsible for the pension arrangement that there is an assessment period in relation to the pension arrangement; or

(ii) from the Board that it has assumed responsibility for the pension arrangement, or part of it.

(2) If the person responsible for the pension arrangement notifies or has notified the member that there is an assessment period in relation to the pension arrangement, the member shall send to the other party or other civil partner—

(a) a copy of the notification; and

(b) a copy of the valuation summary,

in accordance with paragraph (3).

(3) The member shall send the documents referred to in paragraph (2)—

(a) if available, when he sends the information under rule 2.73(2); or

(b) otherwise, within 7 days of receipt.

(4) If—

(a) the pension arrangement is in an assessment period; and

(b) the Board notifies the member that it has assumed responsibility for the pension arrangement, or part of it,

the member shall—

(i) send a copy of the notification to the other party or other civil partner within 7 days of receipt; and

(ii) comply with paragraph (5).

(5) Where paragraph (4) applies, the member shall—

(a) within 7 days of receipt of the notification, request the Board in writing to provide a forecast of his compensation entitlement as described in the Table in paragraph 1(2) of Schedule 1 to the 2005 Regulations; and

(b) send a copy of the forecast of his compensation entitlement to the other party or other civil partner within 7 days of receipt.

(**3**) S.R. 2005 No. 129 as amended by S.R. 2005 No. 357, S.R. 2005 No. 381 and S.R. 206 No. 140.