
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 322

The Family Proceedings Rules (Northern Ireland) 1996

Part IV

Children (Northern Ireland) Order 1995

Appeals

4.23.—(1) Where an appeal lies—

- (a) to the High Court; or
- (b) to a county court specified in the Allocation Order for the purposes of Article 166(4)(a) of the Order of 1995 against the making or refusal to make an order under the Order of 1995—

it shall be made in accordance with the following provisions and references to “the court below” are references to the court from which the appeal lies.

(2) The appellant shall file and serve on the parties to the proceedings in the court below, and on any guardian ad litem—

- (a) notice of the appeal in writing, setting out the grounds upon which he relies;
- (b) a certified copy of the summons or application and of the order appealed against, and of any order staying its execution;
- (c) a copy of any reasons given for the decision.

(3) The notice of appeal shall be filed and served in accordance with paragraph (2)(a)—

- (a) within 14 days after the determination against which the appeal is brought, or
- (b) in the case of an appeal against an order under Article 57(1), within 7 days after the making of the order, or
- (c) with the leave of the court to which the appeal is to be brought, within such other time as that court may direct.

(4) The documents mentioned in paragraph (2)(b) to (c) shall, subject to any direction of the court to which the appeal is to be brought, be filed and served as soon as practicable after the filing and service of the notice of appeal under paragraph (2)(a).

(5) The applicant shall also send a copy of the notice of appeal to the chief clerk or, as the case may be, to the clerk of petty sessions of the court below.

(6) Subject to paragraph (7), a respondent who wishes—

- (a) to contend on the appeal that the decision of the court below should be varied, either in any event or in the event of the appeal being allowed in whole or in part, or
- (b) to contend that the decision of the court below should be affirmed on grounds other than those relied upon by that court, or

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(c) to contend by way of cross-appeal that the decision of the court below was wrong in whole or in part, shall, within 14 days of receipt of notice of the appeal, file and serve on all other parties to the appeal a notice in writing, setting out the grounds upon which he relies.

(7) No notice under paragraph (5) may be filed or served in an appeal against an order under Article 57.