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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 497**

**The Family Proceedings (Amendment  
No. 2) Rules (Northern Ireland) 2005**

**Amendment to the 1996 Rules**

- 69.** In rule 3.12 (Application for leave to apply for financial relief after overseas divorce)—
- (a) in the heading, after “overseas divorce” insert “or overseas dissolution etc of a civil partnership”;
  - (b) in paragraph (1)—
    - (i) for “under Part IV of the Order of 1989” substitute “to which this rule applies”; and
    - (ii) omit the words from “stating the facts” to the end of the paragraph;
  - (c) after paragraph (1) insert—

“(1A) The affidavit in support shall state the facts relied on in support of the application with particular reference—

    - (a) in the case of an application under the Order of 1989, to the matters set out in Article 20(2) of that Order, and
    - (b) in the case of an application under the Act of 2004, to the matters set out in paragraph 8(3) of Schedule 17 to that Act.”;
  - (d) in paragraph (2)—
    - (i) after “by means of which the marriage” insert “or civil partnership, as the case may be,”;
    - (ii) after “marriage”, the second time it appears, insert “or civil partnership”;
    - (iii) for sub-paragraph (a), substitute—
      - “(a) in the case of an application under Part IV of the Order of 1989, the names of the parties to the marriage and the date and place of the marriage;
      - (aa) in the case of an application under the Act of 2004, the names of the parties to the civil partnership and the date and place of the formation of the civil partnership;”;
    - (iv) in sub-paragraph (b), after “to the marriage” insert “or civil partnership, as the case may be”;
    - (v) for sub-paragraph (d) substitute—

“(d) whether either party to the marriage or civil partnership has subsequently married or formed a civil partnership;”;
    - (vi) in sub-paragraph (f), for “under Part IV of the Order of 1989.” substitute “,”; and
    - (vii) after that sub-paragraph insert—

“(g) this rule and rule 3.13 apply to an application for financial relief under—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (i) Part IV of the Order of 1989; and
- (ii) Schedule 17 to the Act of 2004.”.