Marriages Act (Northern Ireland), 1954.

County Court Rules (Northern Ireland), 1954.

1954. No. 157

We, the undersigned members of the County Court Rules Committee, appointed by the Lord Chief Justice of Northern Ireland under sub-section (3) of section two of the County Courts (Salaries and Rules) Act (Northern Ireland), 1947, by virtue of the powers vested in us in this behalf, do hereby make the Rules hereinafter set forth as Rules to be in force in proceedings in the County Courts under the Marriages Act (Northern Ireland), 1954, and do hereby certify the same under our hands and submit them to the Lord Chief Justice of Northern Ireland accordingly.

Bernard J. Fox.
Isaac Copeland.
Samuel Cumming.
Charles Stewart.
G. H. Pollock.

I approve of these Rules, which shall come into force on the 23rd day of October 1954.

Dated this 22nd day of October 1954.

MacDermott,
Lord Chief Justice of Northern Ireland.

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1. These Rules may be cited as the Marriages of Minors (Northern Ireland) County Court Rules, 1954, and the expression " the Act " shall mean the Marriages Act (Northern Ireland), 1954.

2. A notice of application under section two of the Act, signed by the applicant, shall be lodged with the Clerk of the Crown and Peace for the division in which the application is intended to be brought, and such notice may be in the form No. 1 in the Schedule hereto.

3. Upon receipt of the notice of the application the Clerk of the Crown and Peace shall notify the Judge thereof, and the Judge shall then fix a date for the hearing of the application.

4.—(1) Notice of the hearing shall be served by the Clerk of the Crown and Peace upon

(*a*) the applicant;

(*b*) where the applicant is acting on behalf of another person, that other person;

(*c*) the person intending to marry the minor, if not the applicant;

(*d*) every person, other than the applicant, whose consent is required under section one of the Act, and

(*e*) such other person or persons as the Judge may direct.

(2) Service of the notice of the hearing under the preceding sub-rule shall be effected either personally by a civil bill officer or by prepaid registered post addressed to such person or persons at his or their last-known place of residence, and such notice to the persons mentioned in paragraphs (*d*) and (*e*) of the said sub-rule shall be accompanied by a copy of the application.

(3) The notice of the hearing may be in the form No. 2 in the Schedule hereto.

5. The hearing of an application may be in open court or in chambers, as the Judge shall direct.

6. The order made on the hearing of the application may be in the form No. 3 in the Schedule hereto.

SCHEDULE

FORM No. 1

MARRIAGES ACT (NORTHERN IRELAND), 1954

Application

In the County Court for the County of

Division of

By the (Recorder of) (County Court Judge for)

TAKE NOTICE that I, , of in the County of , wish to make application to His Honour the (Recorder of) (County Court Judge for) under section two of the above Act for an Order dispensing with the consent required under section one of the Act in respect of (my proposed marriage to of in the County of) (the proposed marriage of , of in the County of , on whose behalf I am acting, to of in the County of)

The grounds of such application are as set out on page 2 hereof.

I declare that the facts and particulars set out on pages 2 and 3 hereof are correct to the best of my knowledge and belief, and I request that this application be listed for hearing by the Judge.

Dated this day of 19 .

Applicant.

To:

The Clerk of the Crown and Peace.

Page 2

Grounds of the Application

(State fully the grounds upon which the application is based)

Page 3

Particulars

(1) Full name, address and description of person by whom, or on whose behalf, the application is brought.	(1)
(2) Length of residence at address given in answer to (1).	(2)
(3) Date of birth of person by whom, or on whose behalf, the application is brought.	(3)
(4) Full name, address and description of other party to proposed marriage.	(4)
(5) Length of residence at address given in answer to (4).	(5)
(6) Date of birth of other party to proposed marriage.	(6)
(7) Full name, address and description of the person or persons whose consent is required under section one of the Act.	(7)

FORM No. 2

MARRIAGES ACT (NORTHERN IRELAND), 1954

Notice of hearing of application for an Order dispensing with consent to the marriage of a minor

In the County Court for the County of
Division of

By the (Recorder of) (County Court Judge for)

TAKE NOTICE that (your) (an) application under section two of the above Act for an Order dispensing with the consent required under section one of the Act in respect of (your proposed marriage to of in the County of) (the proposed marriage of of in the County of , to of in the County of) will be heard at the Courthouse on day the day of 19 , at (a.m.) (p.m.).

Dated this day of 19 .

Clerk of the Crown and Peace

To:— 1. , the applicant.

2 , the person on whose behalf the applicant is acting.

3. , the person intending the marry the minor, if not the applicant.

4. , a person, other than the applicant, whose consent is required under section one of the Act, and

5. , a person upon whom the Judge has directed service.

FORM No. 3

MARRIAGES ACT (NORTHERN IRELAND), 1954

Order

In the County Court for the County of
Division of

By the (Recorder of) (County Court Judge for)

UPON HEARING the application of
of in the County of ,
for an order of this Court dispensing with the consent of
(and of)
required under section one of the above Act in respect of
(the applicant's proposed marriage to
of in the County of)
(the proposed marriage of of
in the County of , on whose behalf the
applicant is acting, to of
in the County of)
AND IT APPEARING that service of notice of the hearing was duly effected upon
being the person(s) required to be served with such notice under Rule 4 of the Marriages of Minors (Northern Ireland) County Court Rules, 1954
AND UPON HEARING the evidence of
[AND THE COURT being satisfied that the proposed marriage is in the best interests of the minor,
AND THE COURT being also satisfied that
(Here state the other ground giving jurisdiction to the Court to make the Order under paragraph (a), (b), (c) or (d) of sub-section (1) of section two of the Act.)
IT IS ORDERED that the consent of the said
(and of the said) be, and the same is hereby, dispensed with] *OR*
[IT IS ORDERED that the said application be, and the same is hereby, refused.]

Dated this day of 19 .

(SEAL)

Clerk of the Crown and Peace