



## **Family Proceedings Amendment Rules (No 2) 2013**

Jerry Mateparae, Governor-General

### **Order in Council**

At Wellington this 30th day of September 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 188 of the Family Proceedings Act 1980, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following rules.

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## Rules

### 1 Title

These rules are the Family Proceedings Amendment Rules (No 2) 2013.

### 2 Commencement

These rules come into force on 14 April 2014.

### 3 Principal rules

These rules amend the Family Proceedings Rules 1981 (the **principal rules**).

### 4 Rule 83 amended (Order of priority of distress warrants)

- (1) Replace the heading to rule 83 with “**Order of priority of warrants to seize property**”.
- (2) In rule 83(1), (2), (3), and (4), replace “distress warrant” with “warrant to seize property”.

### 5 Schedule 1, form FP 63 amended

- (1) In Schedule 1, replace the heading to form FP 63 with “Request for issue of warrant to seize property”.
- (2) In Schedule 1, form FP 63, replace “warrant of distress” with “warrant to seize property”.

### 6 Schedule 1, form FP 64 amended

- (1) In Schedule 1, replace the heading to form FP 64 with “Warrant to seize property”.
- (2) In Schedule 1, form FP 64, fourth paragraph, delete “(or to the Registrar of the court at [*place*])”.
- (3) In Schedule 1, form FP 64, paragraph headed “**Restriction on sale**”, replace “5 days” with “7 days”.

Rebecca Kitteridge,  
Clerk of the Executive Council.

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## Explanatory note

*This note is not part of the rules, but is intended to indicate their general effect.*

These rules, which come into force on 14 April 2014, amend the Family Proceedings Rules 1981.

The amendments are consequential on the District Courts Amendment Act 2011.

The amendments—

- replace references to distress warrants with references to warrants to seize property; and
- extend the time that must elapse before goods seized under a warrant may be sold from 5 days to 7 days.

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Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 3 October 2013.

These rules are administered by the Ministry of Justice.

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