



Family Courts Amendment Rules (No 2) 2013

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 15th day of July 2013

Present:

His Excellency the Governor-General in Council

Pursuant to section 16A of the Family Courts Act 1980, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following rules.

Contents

	Page
1 Title	2
2 Commencement	2
3 Principal rules	2
4 Schedule 2 amended	2
5 Schedule 6 amended	2
Schedule	3
Form A 3 replaced	

Rules

1 Title

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

2 Commencement

These rules come into force on 19 August 2013.

3 Principal rules

These rules amend the Family Courts Rules 2002 (the **principal rules**).

4 Schedule 2 amended

- (1) In Schedule 2, replace form A 3 with the form A 3 set out in the Schedule of these rules.
- (2) In Schedule 2, form A 4, paragraph (d), replace “husband” with “spouse” in each place.
- (3) In Schedule 2, form A 5, paragraph (d), replace “husband” with “spouse” in each place.

5 Schedule 6 amended

- (1) In Schedule 6, form FP 12, replace “husband and wife” with “a married couple” in each place.
 - (2) In Schedule 6, form FP 14, replace “husband and wife” with “a married couple” in each place.
-

Schedule

r 4(1)

Form A 3 replaced

Form A 3

r 241(1)

Application for adoption order

(Front page—Form A 1)

- 1 We/I*, [*full name(s), address, occupation*], will apply to the Family Court at [*place, date, time*] to adopt [*full name*][†], a [*sex*] child, born at [*place, date*].

*Select one.

†Name may be omitted if applicants wish.

- 2 We/I* desire that on the making of the adoption order the names of the child will be [*full name*].

*Select one.

- 3 The following information is submitted for the purposes of re-registration of the birth:*

Name applicant is known by:	Name applicant is known by:
Name on applicant's birth certificate (if different):	Name on applicant's birth certificate (if different):
Age of applicant at date of child's birth:	Age of applicant at date of child's birth:
Birthplace of applicant:	Birthplace of applicant:

*Complete both columns if more than 1 applicant.

- 4 We/I* do/do not* desire that the words “adoptive parent(s)” appear on the face of any certified copy of the entry of birth of the child after the birth has been re-registered.

*Select one.

Form A 3—*continued*

Signed at [*place*] on [*date*]

Signature of applicant:

Signature of applicant:

Rebecca Kitteridge,
Clerk of the Executive Council

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 19 August 2013, update certain forms prescribed by the Family Courts Rules 1980. The updating is necessary to ensure that the language used in the forms reflects the fact that, when the Marriage (Definition of Marriage) Amendment Act 2013 comes into force, same-sex marriages will be possible. Since married couples are eligible to adopt under the Adoption Act 1955, the rules need to provide for the possibility of adoption by a same-sex married couple.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 18 July 2013.

These rules are administered by the Ministry of Justice.
