



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.

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.

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.
