



Family Law Act 1986

1986 CHAPTER 55

PART III

DECLARATIONS OF STATUS

60 Supplementary provisions as to declarations.

- (1) Any declaration made under this Part, and any application for such a declaration, shall be in the form prescribed by rules of court.
- (2) Rules of court may make provision—
 - (a) as to the information required to be given by any applicant for a declaration under this Part;
 - (b) as to the persons who are to be parties to proceedings on an application under this Part;
 - (c) requiring notice of an application under this Part to be served on the Attorney-General [^{F1}and on persons who may be affected by any declaration applied for].
- (3) No proceedings under this Part shall affect any final judgment or decree already pronounced or made by any court of competent jurisdiction.
- (4) The court hearing an application under this Part may direct that the whole or any part of the proceedings shall be heard in camera, and an application for a direction under this subsection shall be heard in camera unless the court otherwise directs.
- [^{F2}(5) An appeal shall lie to [^{F3}a county court] against—
 - (a) the making by a magistrates' court of a declaration under section 55A above,
 - (b) any refusal by a magistrates' court to make such a declaration, or
 - (c) any order under subsection (6) of that section made on such a refusal.]

Textual Amendments

F1 Words added by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), ss. 33(1), 34(2)(5), [Sch. 2 para. 96](#)

Status: Point in time view as at 06/04/2009. This version of this provision has been superseded.

Changes to legislation: Family Law Act 1986, Section 60 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F2** S. 60(5) inserted (1.4.2001) by 2000 c. 19, s. 83(4) (with s. 83(6); S.I. 2001/774, art. 2(b))
- F3** Words in s. 60(5) substituted (6.4.2009) by The Access to Justice Act 1999 (Destination of Appeals) (Family Proceedings) Order 2009 (S.I. 2009/871), arts. 1, 6 (with art. 15)

Modifications etc. (not altering text)

- C1** S. 60 extended (prosp.) by 1976 c. 36, s. 39(3B) (as inserted (prosp.) by 1999 c. 18, ss. 4(3), 18(3) (with s. 17(1)))
- S. 60 applied (prosp.) by Adoption and Children Act 2002 (c. 38), s. 88(4) (with Sch. 4 paras. 1, 6-8)
- C2** S. 60 applied by 1976 c. 36, s. 39(3B) (as inserted (1.6.2003 for E.W.) by Adoption (Intercountry Aspects) Act 1999 (c. 18), ss. 4(3), 18(3) (with s. 17); S.I. 2003/189, art. 2(2)(c))
- C3** S. 60 applied (30.12.2005) by Adoption and Children Act 2002 (c. 38), ss. 88(4), 148(1) (with Sch. 4 paras. 1, 6-8); S.I. 2005/2213, art. 2(f)

Status:

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