
STATUTORY INSTRUMENTS

2005 No. 2808

**CHILDREN AND YOUNG
PERSONS, ENGLAND AND WALES**

The Parental Responsibility Agreement
(Amendment) Regulations 2005

Made - - - - 10th October 2005
Laid before Parliament 12th October 2005
Coming into force - - 30th December 2005

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 4(2) and 104 of the Children Act 1989(1).

Citation and commencement

1. These Regulations may be cited as the Parental Responsibility Agreement (Amendment) Regulations 2005 and shall come into force on 30th December 2005.

Amendments to the Parental Responsibility Agreement Regulations 1991

2. The Parental Responsibility Agreement Regulations 1991(2) are amended in accordance with the following paragraphs.

3. For regulation 2 substitute—

“2. A parental responsibility agreement—

(a) under section 4(1)(b) of the Children Act 1989 (c. 41) (acquisition of parental responsibility by father), shall be made in form C(PRA1) set out in the Schedule to these Regulations; and

(b) under section 4A(1)(a) of that Act (acquisition of parental responsibility by step-parent), shall be made in form C(PRA2) set out in that Schedule.”.

4. In regulation 3—

(a) in paragraph (1), for “two copies” substitute “sufficient copies for each person with parental responsibility for the child”; and

(1) 1989 c. 41.

(2) S.I. 1991/1478 amended by S.I. 1994/3157 and S.I. 2001/2262.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) in paragraph (2), for “the child’s mother and one to the child’s father” substitute “each person with parental responsibility for the child”.

5. For the Schedule to the Parental Responsibility Agreement Regulations 1991 substitute the Schedule in the Schedule to these Regulations.

10th October 2005

Falconer of Thoroton, C.

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SCHEDULE

Regulation 5

“SCHEDULE

Regulation 2

Form C(PRA1)

Parental Responsibility Agreement

Section 4(1)(b) Children Act 1989

Keep this form in a safe place

Date recorded at the Principal Registry
of the Family Division:

Read the notes on the other side
before you make this agreement.

This is a Parental Responsibility Agreement regarding

the Child *Full Name* _____

Boy or Girl *Date of birth* *Date of 18th birthday*

Between

the Mother *Name* _____

Address

and the Father

Name _____

Address

We declare that

we are the mother and father of the above child and we agree that the child's father shall have parental responsibility for the child (in addition to the mother having parental responsibility).

Signed (**Mother**) _____ Signed (**Father**) _____

Date Date

**Certificate
of witness**

The following evidence of identity was produced by the person signing above: _____
The following evidence of identity was produced by the person signing above: _____

Signed in the presence of: _____ Signed in the presence of: _____
Name of Witness *Name of Witness*

Address *Address*

Signature of Witness *Signature of Witness*

[A Justice of the Peace] [Justices' Clerk] [A Justice of the Peace] [Justices' Clerk]
[An assistant to a justices' clerk] [An officer of the court authorised by the judge to administer oaths] [An assistant to a justices' clerk] [An Officer of the Court authorised by the judge to administer oaths]

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Notes about the Parental Responsibility Agreement

Read these notes before you make the agreement.

About the Parental Responsibility Agreement

The making of this agreement will affect the legal position of the mother and the father. You should both seek legal advice before you make the Agreement. You can obtain the name and address of a solicitor from the Children Panel (020 7242 1222)

- or from
- your local family proceedings court, or county court
 - a Citizens Advice Bureau
 - a Law Centre
 - a local library.

You may be eligible for public funding.

When you fill in the Agreement

Please use black ink (the Agreement will be copied). Put the name of one child only. If the father is to have parental responsibility for more than one child, fill in a separate form for each child. **Do not sign the Agreement.**

When you have filled in the Agreement

Take it to a local family proceedings court, or county court, or the Principal Registry of the Family Division (the address is below).

A justice of the peace, a justices' clerk, an assistant to a justices' clerk, or a court official who is authorised by the judge to administer oaths, will witness your signature and he or she will sign the certificate of the witness. **A solicitor cannot witness your signature.**

To the mother: When you make the declaration you will have to prove that you are the child's mother so take to the court the child's full birth certificate.
You will also need evidence of your identity showing a photograph and signature (for example, a photocard, official pass or passport). **Please note that the child's birth certificate cannot be accepted as sufficient proof of your identity.**

To the father: You will need evidence of your identity showing a photograph and signature (for example, a photocard, official pass or passport).

When the Certificate has been signed and witnessed

Make 2 copies of the Agreement form. You do not need to copy these notes.

Take, or send, this form and the copies to **The Principal Registry of the Family Division, First Avenue House, 42-49 High Holborn, London, WC1V 6NP.**

The Registry will record the Agreement and keep this form. The copies will be stamped and sent back to each parent at the address on the Agreement. The Agreement will not take effect until it has been received and recorded at the Principal Registry of the Family Division.

Ending the Agreement

Once a parental responsibility agreement has been made it can only end

- by an order of the court made on the application of any person who has parental responsibility for the child
- by an order of the court made on the application of the child with permission of the court
- When the child reaches the age of 18.

C(PRA1) (Notes) (12.05)

Form C(PRA2)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Notes about the Step-Parent Parental Responsibility Form

Read these notes before you make the Agreement

About the Step-Parent Parental Responsibility Agreement

The making of this agreement will affect the legal position of the parent(s) and the step-parent. You should seek legal advice before you make the Agreement. You can obtain the name and address of a solicitor from the Children Panel (020 7242 1222) or from:

- your local family proceedings court, or county court,
- a Citizens Advice Bureau,
- a Law Centre,
- a local library.

You may be eligible for public funding.

When you fill in the Agreement

Please use black ink (the Agreement will be copied). Put the name of one child only. If the step-parent is to have parental responsibility for more than one child, fill in a separate form for each child. **Do not sign the Agreement.**

When you have filled in the Agreement

Take it to a local family proceedings court, or county court, or the Principal Registry of the Family Division (the address is below).

A justice of the peace, a justices' clerk, an assistant to a justices' clerk, or a court official who is authorised by the judge to administer oaths, will witness your signature and he or she will sign the certificate of the witness. **A solicitor cannot witness your signature.**

To Parent A and the Other Parent with parental responsibility:

When you make the declaration you will have to prove that you have parental responsibility for the child. You should therefore take with you to the court one of the following documents:

- the child's full birth certificate and a marriage certificate to show that the parents were married to each other at the time of birth or subsequently,
- a court order granting parental responsibility,
- a registered Parental Responsibility Agreement Form between the child's mother and father,
- if the birth was registered after the 1 December 2003, the child's full birth certificate showing that the parents jointly registered the child's birth.

C(PRA2) (Notes) (12.05)

You will also require evidence of your (both parents') identity showing a photograph and signature (for example, a photocard, official pass or passport) **(Please note that the child's birth certificate cannot be accepted as sufficient proof of your identity.)**

To the step-parent: When you make the declaration you will have to prove that you are married to, or the civil partner of, a parent of the child so take to the court your marriage certificate or certificate of civil partnership.

You will also need evidence of your identity showing a photograph and signature (for example, a photocard, official pass or passport).

When the Certificate has been signed and witnessed

Make sufficient copies of the Agreement Form for each person who has signed the form. You do not need to copy these notes.

Take, or send, the original form and the copies to:
**The Principal Registry of the Family Division,
First Avenue House, 42-49 High Holborn, London,
WC1V 6NP.**

The Registry will record the Agreement and retain the original form. The copies will be stamped with the seal of the court and sent back to every person with parental responsibility who has signed the Agreement Form and to the step-parent. The Agreement will not take effect until it has been received and recorded at the Principal Registry of the Family Division.

Ending the Agreement

Once a step-parent parental responsibility agreement has been made it can only end:

- by an order of the court made on the application of any person who has parental responsibility for the child,
- by an order of the court made on the application of the child with permission of the court,
- when the child reaches the age of 18.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Parental Responsibility Agreement Regulations 1991 (S.I.1991/1478) to ensure that a step-parent, who has acquired parental responsibility for a child in accordance with section 4A of the Children Act 1989 (c. 41), is sent a copy of a parental responsibility agreement made in respect of that child. A new form is also prescribed for an agreement that the step-parent of a child is to have parental responsibility for the child, within the meaning of section 3 of the Children Act 1989.

A new form for a parental responsibility agreement under section 4(1)(b) of the 1989 Act is also substituted. Minor amendments to ensure clarity are made to this form.