
STATUTORY INSTRUMENTS

2005 No. 2922 (L. 26)

**FAMILY PROCEEDINGS
SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS, ENGLAND AND WALES**

The Family Proceedings (Amendment) (No. 5) Rules 2005

Made - - - - 18th October 2005

Laid before Parliament 25th October 2005

Coming into force in accordance with rule 1(2)

THE FAMILY PROCEEDINGS (AMENDMENT) (NO. 5) RULES 2005

1. Citation, commencement and interpretation
2. Amendments to the 1991 Rules
3. In rule 1.2— (a) In paragraph (1)—
4. In rule 1.4— (a) for paragraph (1) substitute—
5. For the heading following “PART II” substitute “MATRIMONIAL AND CIVIL...
6. In rule 2.1— (a) after paragraph (b), omit “and” and...
7. In rule 2.2(2)— (a) after “nullity” insert “of marriage”; and...
8. In rule 2.6— (a) for paragraph (1) substitute—
9. In rule 2.6A— (a) in paragraph (1), for the words...
10. In rule 2.6B— (a) in the heading, after “marriage” insert...
11. In rule 2.9— (a) in paragraph (5)(a), after “Form M6” ...
12. In rule 2.9A— (a) in paragraph (1), after “nullity” insert...
13. In rule 2.10— (a) in the heading, after “decree” insert...
14. In rule 2.12— (a) in paragraph (1)(c)—
15. In rule 2.12A— (a) in the heading, after “decree” insert...
16. In rule 2.12B— (a) in the heading—
17. In rule 2.13(2), after “decree” insert “or civil partnership order”....
18. In rule 2.13A— (a) in the heading, after “decree” insert...
19. In rule 2.15— (a) in paragraph (1), after “husband or...
20. In rule 2.17, for the words after “notice” substitute— —...
21. In rule 2.21(3), for “divorce county court” substitute “designated county...
22. In rule 2.22, for the heading substitute “Medical examination in...
23. In rule 2.24— (a) in paragraph (1)(e), after “nullity” insert...
24. In rule 2.26, in the heading, after “Act of 1973”...

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25. After rule 2.27 insert— Stay under the Family Proceedings (Civil...
26. In rule 2.30— (a) for paragraph (1) substitute—
27. In rule 2.32— (a) in paragraph (2), for “divorce county...
28. In rule 2.34(1), after “divorce town” insert “or the dissolution...
29. In rule 2.36— (a) in paragraph (1) and (2), after...
30. In rule 2.37(3)— (a) after “judicial separation” insert “or a...
31. In rule 2.38(2), after “Act of 1973” insert “or under...
32. In rule 2.39— (a) in the heading, after “Act of...
33. In rule 2.41, for “divorce county court”, wherever it appears,...
34. In rule 2.42— (a) in paragraph (1), for “divorce county...
35. In rule 2.43— (a) in paragraph (1)—
36. In rule 2.44— (a) in the heading, after “decree” insert...
37. In rule 2.45— (a) in the heading, after “Act of...
38. In rule 2.46— (a) for paragraph (1) substitute—
39. In rule 2.47— (a) for paragraph (1) substitute—
40. In rule 2.48— (a) in the heading, after “decree nisi”...
41. In rule 2.49— (a) in the heading, after “Decree absolute”...
42. In rule 2.50— (a) in the heading, after “Decree absolute”...
43. After rule 2.51, insert— Indorsement and certificate of final order...
44. (1) Renumber rule 2.51A as rule 2.51B.
45. Renumber rule 2.51AA as rule 2.51C.
46. Renumber rule 2.51B as rule 2.51D.
47. In rule 2.53, after paragraph (1)(a) insert—
48. In rule 2.54(1)(d), for “section 30(1)(a)” substitute “section 31(1)(a)”.
49. In rule 2.57(1), for “divorce county court” substitute “designated county...
50. In rule 2.61(1)— (a) after “the Act of 1973” insert...
51. In rule 2.61A— (a) in paragraph (2), for “divorce county...
52. In rule 2.61D(2)(f), for paragraph (f)(iii) substitute—
53. In rule 2.66— (a) in paragraph (3), for “Where” substitute...
54. In rule 2.67— (a) in the heading, after “maintenance pending...
55. In rule 2.68— (a) in the heading, after “Act of...
56. In rule 2.69F(1), after “maintenance pending suit” insert “or outcome...
57. In rule 2.70— (a) for paragraph (2) substitute—
58. In rule 3.1— (a) in paragraph (1), after “the Act...
59. In rule 3.2— (a) in paragraph (1), after “the Act...
60. In rule 3.3— (a) in paragraph (1), after “the Act...
61. In rule 3.5— (a) in the heading, at the end...
62. In rule 3.6— (a) in the heading, at the end...
63. In rule 3.7— (a) in the title, at the end...
64. In rule 3.8— (a) in paragraph (12), for “or spouse”...
65. In rule 3.12(1)(d), after “matrimonial” insert “or civil partnership”.
66. After rule 3.12 insert— Application under section 58 of Act...
67. In rule 3.13— (a) in paragraph (1)(c)(iii), for “father or...
68. In rule 3.15(4)(a), after “Adoption Act 1976” insert “or section...
69. In rule 3.16— (a) in paragraph (1) and (12), after...
70. In rule 3.17— (a) in the heading, at the end...
71. In rule 3.18— (a) in the heading, at the end...
72. In rule 3.19— (a) in the heading, after “Act of...
73. After rule 3.20 insert— Consent to registration of civil partnership...
74. In rule 3.24(4)— (a) after “nullity” insert “of marriage”; and...
75. In rule 4.1— (a) in paragraph (1), after the definition...
76. In rule 4.3(2), after “person making the request”, wherever it...
77. In rule 4.5(4)(a)(iii) and (b), after “parties,” insert “any local...

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78. In rule 4.6(3)(a) and (b), (4)(c), and (5), after “parties”...
79. In rule 4.7(3)— (a) in sub-paragraphs (a) and (b)(ii), after...
80. In rule 4.9— (a) in paragraph (1), after “section 8...
81. In rule 4.11A(7)(b), after “parties” insert “and any local authority...
82. In rules 4.11B(2)(b)(ii) and 4.13(1), after “parties” insert “, any...
83. In rule 4.14— (a) for paragraph (1), substitute—
84. In rule 4.15(2)(c)(ii), after “parties,” insert “any local authority that...
85. In rule 4.17— (a) in paragraph (1), after “parties,” insert...
86. After rule 4.17, insert— Disclosure of report under section 14A(8)...
87. In rule 4.21— (a) after paragraph (2), insert—
88. For rule 4.21A, substitute— Attachment of penal notice CCR Order 29, rule 1 (committal for breach of order...
89. In rule 4.22(2), after “children’s guardian” insert “and where applicable,...
90. In rule 5.4(1)(b), after “proceedings to” insert “place or”.
91. In rule 7.1— (a) in paragraph (2), after “the Act...
92. In rule 7.2(3), for “divorce county court” substitute “designated county...
93. In rule 7.3(1), for “divorce county court” substitute “designated county...
94. In rule 7.4— (a) for paragraph (2) substitute—
95. In rule 7.6— (a) in the heading, for “divorce county...
96. For rule 7.40, substitute— In this chapter— (a) “judgment” is to be construed in...
97. In rule 7.41, after “Council Regulation” insert “or the Jurisdiction...
98. In rule 7.48— (a) in the heading, after “recognition” insert...
99. In rule 7.53, in paragraph (4) for “2(c)” substitute “2(b)”....
100. In rule 8.2(9)(b), for “at a divorce town” substitute “,...
101. In rule 9.4— (a) in paragraph (1), after “for nullity”...
102. In rule 9.5— (a) in paragraph (1), after “9.2A” insert...
103. In rule 10.4, for “divorce county court” substitute “designated county...
104. In rule 10.6— (a) in paragraph (1)(b), for “divorce county...
105. For rule 10.8(1) substitute— (1) In these rules (other than...
106. In rule 10.9(b), for “divorce county court” substitute “ designated...
107. In rule 10.10,— (a) in paragraph (1), after “Where a”...
108. In rule 10.11, for “divorce county court”, wherever it appears,...
109. In rule 10.13, for “divorce county court” substitute “designated county...
110. In rule 10.14— (a) in the heading, after “marriage” insert...
111. In rule 10.16— (a) in paragraph (1), after “decree” insert...
112. In rule 10.19, for “divorce county court” substitute “designated county...
113. In rule 10.20— (a) in paragraph (1), after “9.5” insert...
114. In rule 10.20A— (a) in paragraph (3), in the second...
115. In rule 10.21B— (a) after “the Act of 1973” insert—...
116. In rule 10.22— (a) in the heading, for “divorce county...
117. In Appendix 1— (a) in the list of forms—
118. In Appendix 1A— (a) in Forms A to D, F,...
119. In Appendix 2— (a) in paragraph 1—
120. In Appendix 3, in the entry relating to section 4(1)(c),...
121. After Appendix 3 insert Appendix 4 as set out in...
122. Consequential and Transitional Provision
123. (1) Where proceedings have been commenced before the date on...
Signature

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SCHEDULE 2 —

Explanatory Note