
STATUTORY INSTRUMENTS

2008 No. 2446

The Family Proceedings (Amendment) Rules 2008

Amendments to the Family Proceedings Rules 1991

8. After rule 8.1A, insert—

“Appeals from orders made under Part 4A of the Family Law Act 1996

8.1B.—(1) This rule applies to all appeals from orders made under Part 4A of the Family Law Act 1996 and on such an appeal—

- (a) paragraphs (2), (3), (4) and (5) of rule 4.22;
- (b) paragraphs (5) and (6) of rule 8.1; and
- (c) paragraphs (4)(e) and (6) of rule 8.2;

shall apply to the following provisions of this rule and with the necessary modifications.

(2) A district judge may dismiss an appeal to which this rule applies for want of prosecution and may deal with any question of costs arising out of the dismissal or withdrawal of an appeal.

(3) Any order or decision granting or varying an order (or refusing to do so) in proceedings under Part 4A of the Family Law Act 1996 shall be treated as a final order for the purposes of CCR Order 37, rule 6 and, on an appeal from such an order, the judge may exercise his own discretion in substitution for that of the district judge and the provisions of CCR Order 37, rule 6 shall apply.”