
STATUTORY INSTRUMENTS

2013 No. 3204

The Family Procedure (Amendment No.3) Rules 2013

Amendments to the Family Procedure Rules 2010

101. After rule 32.22, insert—

“Notices: payments made through the family court

32.22A.—(1) Paragraph (2) applies where a notice is given under section 2(6ZC) of the 1958 Act that payments under an order registered in the family court are payable to the family court.

(2) The notice will be in the form set out in Practice Direction 32A (Form 5) and will be given by the court officer of the family court.

(3) Paragraph (4) applies where a notice is given under section 2(6ZC) of the 1958 Act that payments under an order registered in the family court have ceased to be payable to the family court.

(4) The notice will be in the form set out in Practice Direction 32A (Form 6) and will be given by the court officer of the family court.

Method of payment

32.22B.—(1) This rule applies where the family court exercises its duties or powers under section 4A(2) of the 1958 Act to make, revive or vary any means of payment order within the meaning of section 1(7) of the Maintenance Enforcement Act 1991.

(2) Where the court orders that payments under a registered order are to be made by a particular means—

(a) the court will record on a copy of the order the means of payment which the court has ordered; and

(b) the court officer will notify, in writing, the person liable to make payments under the order how the payments are to be made.

(3) Paragraph (4) applies where the court orders that payments be made—

(a) by the debtor to the creditor; or

(b) by the debtor to the court;

by a method falling within section 1(5) of the Maintenance Enforcement Act 1991.

(4) The court officer will notify the person liable to make payments under the order of sufficient details of the account into which payments should be made to enable payments to be made into that account.

Variation of method of payment

32.22C.—(1) The Part 18 procedure applies to an application under section 1(3)(a) of the Maintenance Enforcement Act 1991 received from an interested party for the method of payment to be varied under section 4A of the 1958 Act.

(2) The court will notify the interested party who made the application and, where practicable, any other interested party, of the result of the application.

(3) The court will record any variation on a copy of the order.

Notices received from another court or from a person entitled to payments

32.22D.—(1) This rule applies where any notice is received—

- (a) of the discharge or variation by the High Court of a High Court order registered in the family court;
- (b) of the discharge or variation by a court in Scotland or Northern Ireland of an order made by such a court and registered in the family court; or
- (c) under section 5(1) or (2) of the 1958 Act.

(2) The court officer for the family court will enter details of any such notice in the register.

(3) In the case of a notice under section 5(1) or (2) of the 1958 Act, the court officer for the family court will ensure that the person in possession of any warrant of commitment, issued but not executed, for the enforcement of the order is informed of the giving of that notice.”.