
STATUTORY INSTRUMENTS

1991 No. 1395

The Family Proceedings Courts (Children Act 1989) Rules 1991

PART II

GENERAL

Application for leave to commence proceedings

3.—(1) Where the leave of the court is required to bring any relevant proceedings, the person seeking leave shall file—

- (a) a written request for leave setting out the reasons for the application; and
- (b) a draft of the application for the making of which leave is sought in the appropriate form in Schedule 1 to these Rules or, where there is no such form, in writing, together with sufficient copies for one to be served on each respondent.

(2) On considering a request for leave filed under paragraph (1), the court shall—

- (a) grant the request, whereupon the justices' clerk shall inform the person making the request of the decision, or
- (b) direct that a date be fixed for a hearing of the request, whereupon the justices' clerk shall fix such a date and give such notice as the court directs to the person making the request and to such other persons as the court requires to be notified, of the date so fixed.

(3) Where leave is granted to bring any relevant proceedings, the application shall proceed in accordance with rule 4; but paragraph (1)(a) of that rule shall not apply.