



Family Law Act 1996

1996 CHAPTER 27

PART II

DIVORCE AND SEPARATION

Supplementary

12 Lord Chancellor's rules

- (1) The Lord Chancellor may make rules—
- (a) as to the form in which a statement is to be made and what information must accompany it;
 - (b) requiring the person making the statement to state whether or not, since satisfying the requirements of section 8, he has made any attempt at reconciliation;
 - (c) as to the way in which a statement is to be given to the court;
 - (d) requiring a copy of a statement made by one party to be served by the court on the other party;
 - (e) as to circumstances in which such service may be dispensed with or may be effected otherwise than by delivery to the party;
 - (f) requiring a party who has made a statement to provide the court with information about the arrangements that need to be made in consequence of the breakdown;
 - (g) as to the time, manner and (where attendance in person is required) place at which such information is to be given;
 - (h) where a statement has been made, requiring either or both of the parties—
 - (i) to prepare and produce such other documents, and
 - (ii) to attend in person at such places and for such purposes,as may be specified;
 - (i) as to the information and assistance which is to be given to the parties and the way in which it is to be given;

Status: This is the original version (as it was originally enacted).

- (j) requiring the parties to be given, in such manner as may be specified, copies of such statements and other documents as may be specified.
- (2) The Lord Chancellor may make rules requiring a person who is the legal representative of a party to a marriage with respect to which a statement has been, or is proposed to be, made—
- (a) to inform that party, at such time or times as may be specified—
 - (i) about the availability to the parties of marriage support services;
 - (ii) about the availability to them of mediation; and
 - (iii) where there are children of the family, that in relation to the arrangements to be made for any child the parties should consider the child’s welfare, wishes and feelings;
 - (b) to give that party, at such time or times as may be specified, names and addresses of persons qualified to help—
 - (i) to effect a reconciliation; or
 - (ii) in connection with mediation; and
 - (c) to certify, at such time or times as may be specified—
 - (i) whether he has complied with the provision made in the rules by virtue of paragraphs (a) and (b);
 - (ii) whether he has discussed with that party any of the matters mentioned in paragraph (a) or the possibility of reconciliation; and
 - (iii) which, if any, of those matters they have discussed.
- (3) In subsections (1) and (2) “specified” means determined under or described in the rules.
- (4) This section does not affect any power to make rules of court for the purposes of this Act.