

SCHEDULE

Rule 4

Application for a Parental Order

Date received by court

Section 30 Human Fertilisation and Embryology Act 1990

- ▶ Please use black ink.
- ▶ The Notes on page 4 of this form will tell you what to do when you have completed the form.
- ▶ If there is more than one child you must fill in a separate form for each child.
- ▶ Please answer every part. If a part does not apply or you do not know what to say please say so. If there is not enough room continue on another sheet (put the child's name and the number of the part on the sheet).
- ▶ If you have any concerns about giving your address or that of the child or any other address requested in this form, you may give an alternative address where papers can be served. However, you must notify the court of the actual address on a separate form available from the court.

I apply to **The** **Family Proceedings Court**
for a Parental Order

1 About the child

- (a) The birth name of the child
Put the surname last
- (b) The child is a Boy Girl
- (c) The child was born on Age now
- (d) The address where the child was born
- (e) The address where the child lives now
- (f) The person(s) who have parental responsibility
See the Notes on the last page.
- (g) The name(s) of the child if a Parental Order is made
Put the surname last

2 About the applicants

1st Applicant

- (a) Your full name
Put your surname last
- (b) Are you over 18? Yes No
- (c) Your occupation
- (d) Are you a genetic parent of the child? Yes No
- (e) Are you domiciled in the United Kingdom, Channel Islands or the Isle of Man? Yes No

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2 About the applicants (continued)

2nd Applicant

- (a) Your full name
Put your surname last
- (b) Are you over 18? Yes No
- (c) Your occupation
- (d) Are you a genetic parent of the child? Yes No
- (e) Are you domiciled in the United Kingdom, Channel Islands or the Isle of Man? Yes No

Both Applicants

Your address is

3 About the birth parents *See the notes on the last page.*

The birth mother

- (a) Her full name
Put her surname last
- (b) Her full address

The birth father (if any)

- (c) His full name
Put his surname last
- (d) His full address

4 Parental agreement

- (a) Does the **birth mother** agree to a Parental Order being made? Yes No
- (b) Does the **birth father** (if applicable) agree to a Parental Order being made? Yes No

- *The agreement of the birth mother and birth father (where appropriate) is required, or must be dispensed with under one of the grounds at 4(d) on page 3, before an order can be made.*
- *The child must be at least 6 weeks old when the agreement is given*

4 Parental agreement (continued)

- (c) Will you be asking the court to dispense with the agreement of a birth parent? Yes No

If Yes
give the name(s) of the birth parent(s) whose agreement you wish to dispense with.

- (d) The grounds for dispensing with the agreement are the person(s) cannot be found
 one box the person(s) are incapable of giving agreement

5 General Information

- (a) Has the child ever been looked after by a local authority or voluntary organisation? Yes No

If Yes
• give the period during which this organisation has looked after the child
• give details of the organisation

- (b) Have there been, or are there, any other court proceedings pending or in progress which concern this child? Yes No

If Yes
give details of the proceedings
Give the name of the court and the case number of the proceedings, if known

- (c) Have there been, or are there, any court proceedings pending or in progress which concern any other children of the applicants' family? Yes No

If Yes
give details of the proceedings
Give the name of the court and the case number of the proceedings, if known

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5 General Information (continued)

(d) Is there a licensed treatment centre? Yes No

If Yes
give the name, address and
any reference of the
treatment centre.

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6 The respondents

- The respondent(s) will be
- all those with parental responsibility (see the notes on page 8)
 - If the child is the subject of a care order, all those who had parental responsibility for the child immediately before the care order was made
 - other persons allowed by the Rules of Court

- You need not give details of the birth parent(s)
- Please put the address where the respondent usually lives or can be served with papers
- You will have to serve a copy of this application on each of the respondents (including the birth parent(s))

The name of the respondent	The respondent's address

7 Declaration

We declare that

- ▶ we are married to each other and our marriage certificate is attached
- ▶ that no money or other benefit (other than for expenses reasonably incurred) has been received or given by the applicants for or in consideration of the matters set out in section 30(7) of the Human Fertilisation and Embryology Act 1990
- ▶ a copy of the child's birth certificate is attached
- ▶ the information we have given is correct and complete to the best of our knowledge.

Signed	1st Applicant	<input style="width: 95%;" type="text"/>	Date	<input style="width: 95%;" type="text"/>
Signed	2nd Applicant	<input style="width: 95%;" type="text"/>	Date	<input style="width: 95%;" type="text"/>

What you (the person applying) must do next

- ▶ Fill in Parts 1 and 2 of the Notice of Hearing.
- ▶ Take or send this form to the court with a copy for service on each of the respondent(s) listed in Parts 3 and 6. The top copy will be kept by the court. The other copies will be given or sent back to you.
- ▶ You must serve the form of Answer (Form C11A 75), and a copy of this Application, the Notice of Hearing and the Notes, on each respondent and birth parent according to the Rules. You may also be required to send a copy of the Notice of Hearing and the Notes to other people.

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In the
at

[High Court of Justice]
[County Court]
[Family Proceedings Court]

**Notice of a Hearing concerning
an application for a Parental Order**

Case No.

Section 30 Human Fertilisation and Embryology Act 1990

► **Please read this notice now.**

* **You are named as a respondent in the application.**

(To the applicant: *delete if not applicable)

1 About the child

(a) The birth name of the child is
Put the surname last

(b) The child is a

Boy Girl

(c) The child was born on

day	month	year	Age now
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2 About the applicants

(a) Full names 1st Applicant
Put the surname last

2nd Applicant

(b) Name and panel address of
the guardian ad litem
who has been appointed for the child

of	panel
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The court will complete this page.

3 About the Hearing

The application will be heard before the [Judge] [Justice(s)]

at

on

at

o'clock

- ▶ If you are not the applicant, you may attend the hearing if you would like to do so or the court notifies you that your attendance is necessary.
- ▶ If you would like to be heard on the question of whether a Parental Order should be made, you should write and tell the court on or before

The court can then arrange a time for you to attend court.

4 Dispensing with the agreement

*Note:
This paragraph should be deleted unless the applicants are applying to dispense with the agreement of the birth parent(s).*

The court has been requested to dispense with the agreement of the birth parent(s) to the making of a Parental Order on the ground(s) that:

- (a) The person(s) cannot be found.
- (b) The person(s) [is] [are] incapable of giving agreement.

Signed

An officer of the court

Date

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What you must do

- ▶ If there is a copy of the application with this Notice, read it now.
You do not have to fill in any part.

- ▶ You must complete the form of Answer, if it is enclosed, and follow the instructions about service on the first page of that form.

- ▶ You should consider getting legal advice from a solicitor or from an advice agency.
The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children.
Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory. These can be found at
 - Citizens Advice Bureaux
 - Law Centres
 - any local library.

If you write to the court please address your letters to "The Chief Clerk"
and quote the No. of the matter at the top of this form.
The Court office is at

The office is open from am to pm on Monday to Friday.

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Notes about parental responsibility and birth parents

Parental Responsibility

Some people have “parental responsibility” for a child. The law says what “parental responsibility” is and which people have it. These people include:

- | | |
|---|---|
| A the birth mother | D a guardian of the child |
| B the birth father
if he was married to the child’s birth mother
when the child was born | E someone who holds a custody or
residence order |
| C the birth father
if he was not married to the child’s
birth mother when the child was born
but he now has a residence order
or he now has a court order
which gives him parental
responsibility
or he now has a formal “parental
responsibility agreement” with
the birth mother
or he has since married the birth mother | F a local authority which has a care
order |
| | G someone who holds an emergency
protection order |
| | H any man or woman who has adopted
the child |

Birth Parents

The birth mother is the woman who carried the child.

- The birth father** is ► the husband of a birth mother whether or not he is the genetic father of the child. This does not apply if it can be shown that the husband did not consent to her treatment.
- the man (whether or not he is the genetic father of the child) with whom a birth mother received treatment at a licensed treatment centre if
 - (a) the birth mother is unmarried
 - or (b) the birth mother is married but her husband did not consent to the treatment.
 - **There will be no birth father** when a birth mother is unmarried and is treated alone.

Notice

If you are not sure who the birth father is, the licensed treatment centre will be able to advise you.

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In the

[High Court of Justice]
[County Court]
[Family Proceedings Court]

Answer

Section 30 Human Fertilisation and Embryology Act 1990

Case No.

To the applicant: You will need a copy of this form for each respondent and birth parent.
On each copy you must put in the boxes:
the name and address of each respondent or birth parent, and the name of the child.

Respondent's name and address:

To the respondent

The birth name of the child
Put the surname last

You will get with this form a copy of

- ▶ a Notice of Hearing
- ▶ an application that has been made to the court

Please

- ▶ read the Notice first
- ▶ then read the application
- ▶ answer the questions on the other side of this form

You must

- ▶ return only the attached Answer to the court at the address below
- ▶ serve a copy of the Answer on the applicant, birth parent(s) and each respondent (see parts 2, 3 and 6 of the application form) **within 14 days** from the date you were given the Notice of Hearing **or** of the post mark on the envelope, if the Notice was posted to you.

To the court: insert the name and address of your court

The court office is open from am to pm on Monday to Friday.

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Answer

Case No.

1 (a) Your name
Put your surname last

(b) Your address

(c) When did you receive this form?
Put the full date

2 Do you wish to oppose the application? Yes No

3 Do you wish to be heard on the question as to whether a Parental Order should be made?
(see Part 3 of the Notice of Hearing) Yes No

4 **If you have a solicitor**
If you would like letters or other papers sent to your solicitor, put your solicitor's name and address in the box.

5 **I declare** that the information I have given is true and correct to the best of my knowledge.

Signed Date

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In the
at

[High Court of Justice]
[County Court]
[Family Proceedings Court]

Parental Order

Section 30 Human Fertilisation and Embryology Act 1990

Case No.

1	<p>(a) The child is</p> <p><i>Give the birth name and name by which the child is to be known (if different).</i></p> <p>Sex</p> <p>Date of birth</p> <p>Address where born</p> <p>Full names of birth parent(s)</p>				
<p>(b) The applicants are</p>					
<p>1st applicant</p>					
Name					
Occupation					
Place of birth					
<p>2nd applicant</p>					
Name					
Occupation					
Place of birth					
(c) The address of the applicants					

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2 The court grants a Parental Order to the applicants

[The Court has ordered the costs as follows:]

3 The child is to be known by the following names:

4 The court has directed the Registrar General
to enter the details set out in this order in the Parental Order Register in accordance with
Regulations under paragraph 1 of Schedule 1 to the Adoption Act 1976 as modified by the
Parental (Human Fertilisation and Embryology) Regulations 1994.
and to insert the words "Re-registered by the Registrar General" against the entry in the Register
of Births.

Ordered by [Mr] [Mrs] Justice
{His}[Her] Honour Judge
A District Judge [of the Family Division]
Justice(s) of the Peace
Clerk of the Court

on

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In the
at

[High Court of Justice]
[County Court]
[Family Proceedings Court]

Notice of refusal of a Parental Order

Section 30 Human Fertilisation and Embryology Act 1990

Case No.

Keep this Notice for future reference

1 About the child

(a) The birth name of the child
Put the surname last

(b) The child is a

Boy Girl

(c) The child was born on

day	month	year	Age now
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2 About the applicants

(a) The full names 1st applicant
Put the surname last

2nd applicant

(b) The order was made on

3 Take Notice that a Parental Order has been refused in respect of the child.
