STATUTORY INSTRUMENTS

2010 No. 2955 (L. 17)

FAMILY PROCEEDINGS SENIOR COURTS OF ENGLAND AND WALES COUNTY COURTS, ENGLAND AND WALES MAGISTRATES' COURTS, ENGLAND AND WALES

The Family Procedure Rules 2010

Made - - - - 13th December 2010
Laid before Parliament 17th December 2010
Coming into force 6th April 2011

THE FAMILY PROCEDURE RULES 2010

PART 1

OVERRIDING OBJECTIVE

- 1.1 The overriding objective
- 1.2 Application by the court of the overriding objective
- 1.3 Duty of the parties
- 1.4 Court's duty to manage cases
- 1.5 The Welsh language

PART 2

APPLICATION AND INTERPRETATION OF THE RULES

- 2.1 Application of these Rules
- 2.2 The glossary
- 2.3 Interpretation
- 2.4 Modification of rules in application to serial numbers etc.
- 2.5 Power to perform functions conferred on the court by these rules and practice directions
- 2.6 Powers of the single justice to perform functions under the 1989 Act, the 1996 Act, the 2002 Act and the Childcare Act 2006

- 2.7 Single lay justice: power to refer to the family court
- 2.8 Court's discretion as to where it deals with cases
- 2.9 Computation of time
- 2.10 Dates for compliance to be calendar dates and to include time of day

Part 3

Non-court Dispute Resolution

Chapter 1

Interpretation

3.1 In this Part— "allocation" means allocation of proceedings other than...

Chapter 2:

The Court's Duty and Powers Generally

- 3.2 Scope of this Chapter
- 3.3 The court's duty to consider non-court dispute resolution
- 3.4 When the court will adjourn proceedings or a hearing in proceedings

Chapter 3:

Family Mediation Information and Assessment Meetings (MIAMs)

- 3.5 Scope of this Chapter
- 3.6 Applications to which the MIAM requirement applies
- 3.7 Making an application
- 3.8 Circumstances in which the MIAM requirement does not apply (MIAM exemptions and mediator's exemptions)
- 3.9 Conduct of MIAMs
- 3.10 MIAM exemption not validly claimed

PART 3A

VULNERABLE PERSONS: PARTICIPATION IN PROCEEDINGS AND GIVING EVIDENCE

- 3A.1 Interpretation
- 3A.2 Application of provisions in this Part
- 3A.2A Court's duty to consider making participation directions: victims of domestic abuse
 - 3A.3 Court's duty to consider vulnerability of other parties or witnesses
 - 3A.4 Court's duty to consider how a party can participate in the proceedings
 - 3A.5 Court's duty to consider how a party or a witness can give evidence
 - 3A.6 Protected parties
 - 3A.7 What the court must have regard to
 - 3A.8 Measures
 - 3A.9 When the duties of the court apply and recording reasons for decisions made under this Part
- 3A.10 Application for directions under this Part
- 3A.11 Procedure where the court makes directions of its own initiative
- 3A.12 Functions of officers of the Service and Welsh family proceedings officers
- 3A.13 Prohibition of cross-examination in person under Part 4B of the 1984 Act

PART 4

GENERAL CASE MANAGEMENT POWERS

- 4.1 The court's general powers of management
- 4.2 Court officer's power to refer to the court
- 4.3 Court's power to make order of its own initiative
- 4.4 Power to strike out a statement of case
- 4.5 Sanctions have effect unless defaulting party obtains relief
- 4.6 Relief from sanctions
- 4.7 General power of the court to rectify matters where there has been an error of procedure
- 4.8 Power of the court to make civil restraint orders

PART 5

FORMS, START OF PROCEEDINGS AND COMMUNICATION WITH THE COURT

- 5.A.1 Application
 - 5.1 Forms
 - 5.2 Documents to be attached to a form
 - 5.3 Proceedings are started by issue of application form
 - 5.4 Where to start proceedings
 - 5.5 Filing documents with and sending documents to the court by e-mail
 - 5.6 Documents in the Welsh language
 - 5.7 Communications with the court
 - 5.8 Provision in relation to bulk scanning of documents

PART 6

SERVICE

CHAPTER 1

SCOPE OF THIS PART AND INTERPRETATION

- 6.1 Part 6 rules about service apply generally
- 6.2 Interpretation

CHAPTER 2

SERVICE OF THE APPLICATION FOR A MATRIMONIAL ORDER OR CIVIL PARTNERSHIP ORDER IN THE JURISDICTION

- 6.3 Interpretation
- 6.4 Methods of service
- 6.5 Who is to serve the application
- 6.6 ... Respondent to be served
- 6.6A Time for serving an application by the applicant
- 6.6B Extension of time for serving the application
 - 6.7 Personal service
- 6.7A Email service
 - 6.8 Service of application by the court
 - 6.9 Service by the bailiff
- 6.10 Where to serve the application general provisions

- 6.11 Service of the application on a solicitor within the jurisdiction ...
- 6.12 Service of the application where the respondent gives an address at which the respondent may be served
- 6.13 Service of the application where the respondent does not give an address at which the respondent may be served
- 6.14 Service of the application on children and protected parties
- 6.15 Deemed service receipt of acknowledgment of service
- 6.16 Deemed service by post or alternative service where no acknowledgment of service filed
- 6.17 Proof of personal service where no acknowledgment of service filed
- 6.18 Proof of service by the court etc.
- 6.19 Service of the application by an alternative method or at an alternative place
- 6.20 Power of the court to dispense with service of the application
- 6.21 Notification of failure of postal service by the court
- 6.21A Notification of failure of email service by the court
 - 6.22 Notice of non-service by bailiff

CHAPTER 3

SERVICE OF DOCUMENTS OTHER THAN AN APPLICATION FOR A MATRIMONIAL ORDER OR CIVIL PARTNERSHIP ORDER IN THE UNITED KINGDOM

- 6.23 Method of service
- 6.24 Who is to serve
- 6.25 Personal service
- 6.26 Address for service
- 6.27 Change of address for service
- 6.28 Service of an application form commencing proceedings on children and protected parties
- 6.29 Service of other documents on or by children and protected parties where a litigation friend has been or will be appointed
- 6.30 Service on or by children where a children's guardian has been or will be appointed under rule 16.4
- 6.31 Service on or by children where a children's guardian has been appointed under rule 16.3
- 6.32 Supplementary provisions relating to service on children and protected parties
- 6.33 Supplementary provision relating to service on children
- 6.34 Deemed service
- 6.35 Service by an alternative method or at an alternative place
- 6.36 Power to dispense with service
- 6.37 Certificate of service
- 6.38 Notification of outcome of service by the court
- 6.39 Notification of non-service by bailiff

CHAPTER 4

SERVICE OUT OF THE JURISDICTION

- 6.40 Scope and interpretation
- 6.41 Permission to serve not required
- 6.41A Time for serving an application for a matrimonial or civil partnership order out of the jurisdiction

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 6.41B Extension of time for serving the application for a matrimonial or civil partnership order
 - 6.42 Period for acknowledging service or responding to application where application is served out of the jurisdiction
 - 6.43 Method of service general provisions
 - 6.44 Service in accordance with the Service Regulation
 - 6.45 Service through foreign governments, judicial authorities and British Consular authorities
 - 6.46 Procedure where service is to be through foreign governments, judicial authorities and British Consular authorities
 - 6.47 Translation of application form or other document
 - 6.48 Undertaking to be responsible for expenses of the Foreign and Commonwealth Office

PART 7

PROCEDURE FOR APPLICATIONS IN MATRIMONIAL AND CIVIL PARTNERSHIP PROCEEDINGS

CHAPTER 1

APPLICATION AND INTERPRETATION

7.1 Application and interpretation

CHAPTER 2

RULES ABOUT STARTING PROCEEDINGS

- 7.2 Who the parties are
- 7.3 Statement of reconciliation
- 7.4 Limitation on applications in respect of same marriage or civil partnership
- 7.5 Service of application
- 7.6 Withdrawal of application before service
- 7.7 What the respondent must do on receiving the application

CHAPTER 3

STANDARD CASE

- 7.8 Amending an application
- 7.9 Applications for conditional order
- 7.10 What the court will do on an application for a conditional order, a judicial separation or a separation order
- 7.11 What the court must do for the case management hearing

CHAPTER 4

DISPUTED CASE

- 7.12 How the respondent can make an application
- 7.13 References to respondents
- 7.14 Case management hearing
- 7.15 Amendment of application and answer

- 7.16 Further information about the contents of the application and the answer
- 7.17 What the court must do for the case management hearing

CHAPTER 5

PROCEEDINGS AFTER CONDITIONAL ORDER (STANDARD AND DISPUTED CASE)

- 7.18 Applications to prevent conditional orders being made final
- 7.19 Making conditional orders final by giving notice
- 7.20 Applications to make conditional orders final
- 7.21 What the court officer must do when a conditional order is made final
- 7.22 Applications under section 10(2) of 1973 Act or section 48(2) of 2004 Act
- 7.23 Orders under section 10A(2) of the 1973 Act

CHAPTER 6

PROVISIONS SPECIFIC TO NULLITY PROCEEDINGS

- 7.24 Respondent to nullity application
- 7.25 Supplemental applications
- 7.26 Nullity: interim and full gender recognition certificates
- 7.27 Nullity: filing an answer
- 7.28 Nullity inspection of certificate of entitlement
- 7.29 Medical examinations in proceedings for nullity of a marriage of an opposite sex couple

CHAPTER 7

GENERAL PROVISIONS

- 7.30 General rule hearing to be in public
- 7.31 Notice of hearing
- 7.32 Further provisions about costs
- 7.33 Stay of proceedings
- 7.34 The circumstances in which an order may be set aside (rescission)
- 7.35 Records of decrees absolute and final orders

PART 8

PROCEDURE FOR MISCELLANEOUS APPLICATIONS

CHAPTER 1

PROCEDURE

8.1 Procedure

CHAPTER 2

APPLICATION FOR CORRECTED GENDER RECOGNITION CERTIFICATE

- 8.2 Scope of this Chapter
- 8.3 Where to start proceedings
- 8.4 Who the parties are

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

8.5 Delivery of copy certificate to Secretary of State

CHAPTER 3

APPLICATION FOR ALTERATION OF MAINTENANCE AGREEMENT AFTER DEATH OF ONE PARTY

- 8.6 Scope of this Chapter
- 8.7 Where to start proceedings
- 8.8 Who the parties are
- 8.9 Representative parties
- 8.10 Acknowledgment of service
- 8.11 Hearings may be in private

CHAPTER 4

APPLICATION FOR QUESTION AS TO PROPERTY TO BE DECIDED IN SUMMARY WAY

- 8.12 Scope of this Chapter
- 8.13 Procedure
- 8.14 Where to start proceedings
- 8.15 Mortgagees as parties
- 8.16 Injunctions
- 8.17 Application of other rules

CHAPTER 5

DECLARATIONS

- 8.18 Scope of this Chapter
- 8.19 Where to start proceedings
- 8.20 Who the parties are
- 8.21 The role of the Attorney General
- 8.22 Declarations of parentage

CHAPTER 6

APPLICATION FOR PERMISSION TO APPLY FOR A FINANCIAL REMEDY AFTER OVERSEAS PROCEEDINGS

- 8.23 Scope of this Chapter
- 8.24 How to start proceedings
- 8.25 Application without notice
- 8.26 Notification of hearing date
- 8.27 Hearings to be in private unless the court directs otherwise
- 8.28 Direction that application be dealt with by a district judge of the principal registry

CHAPTER 7

APPLICATION FOR THE TRANSFER OF A TENANCY UNDER SECTION 53 OF, AND SCHEDULE 7 TO, THE 1996 ACT

8.29	Scope of this Chapter	
8.30	Where to start proceedings	
8.31	Service of the application	
8.32	Who the parties are	
8.33	Orders for disclosure	

CHAPTER 8

APPLICATIONS FOR ORDERS PREVENTING AVOIDANCE UNDER SECTION 32L OF THE CHILD SUPPORT ACT 1991

8.35	Scope of this Chapter	
8.36	Interpretation	
8.37	Where to start proceedings	
8.38	Who the parties are	
8.39	Service of the application	
8.40	Applications without notice	

CHAPTER 9

APPLICATION FOR CONSENT TO MARRIAGE OF A CHILD OR TO REGISTRATION OF CIVIL PARTNERSHIP OF A CHILD

8.41	Scope of this Chapter
8.42	Child acting without a children's guardian
8.43	Who the respondents are

PART 9

APPLICATIONS FOR A FINANCIAL REMEDY

CHAPTER 1

APPLICATION AND INTERPRETATION

7.1	Application
9.2	Application of Magistrates' Courts Rules 1981

9.3 Interpretation

Application

0.1

8.34

Injunctions

CHAPTER 2

PROCEDURE FOR APPLICATIONS

- 9.4 When an Application for a financial order may be made
- 9.5 Where to start proceedings
- 9.6 Application for an order preventing a disposition
- 9.7 Application for interim orders

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 9.8 Application for periodical payments order at same rate as an order for maintenance pending suit
- 9.9 Application for periodical payments order at same rate as an order for maintenance pending outcome of proceedings
- 9.9A Application to set aside a financial remedy order
- 9.9B Standard and fast-track procedures for financial remedy proceedings

CHAPTER 3

APPLICATIONS FOR FINANCIAL REMEDIES FOR CHILDREN

- 9.10 Application by parent, guardian etc for financial remedy in respect of children
- 9.11 Children to be separately represented on certain applications

CHAPTER 4

STANDARD PROCEDURE

- 9.12 Duties of the court and the applicant upon issuing an application
- 9.13 Service of application on mortgagees, trustees etc
- 9.14 Procedure before the first appointment
- 9.15 Duties of the court at the first appointment
- 9.16 After the first appointment
- 9.17 The FDR appointment

CHAPTER 5

FAST-TRACK PROCEDURE

- 9.18 Duties of the court and the applicant upon filing an application
- 9.18A Request for change of procedure
 - 9.19 Procedure before the first hearing
 - 9.20 Consideration of the application at the first hearing
 - 9.21 Who the respondent is on an application under section 20 or section 20A of the 1978 Act or Part 6 of Schedule 6 to the 2004 Act
- 9.21A Duty to make entries in the court's register

Chapter 5A

Certain applications

- 9.22 Application for a maintenance order, or revocation of a maintenance order to which the 1982 Act, the Lugano Convention, the 1988 Convention or the Maintenance Regulation applies
- 9.23 Duty to make entries in the court's register

CHAPTER 6

GENERAL PROCEDURE

- 9.24 Power to order delivery up of possession etc.
- 9.25 Where proceedings may be heard

9.26 Applications for consent orders for financial remedy 9.26A Questions as to the court's jurisdiction or whether the proceedings should be stayed 9.26AA International Maintenance Obligations: Communication with the Central Authority for England and Wales 9.26B Adding or removing parties 9.26C Method of making periodical payments 9.26D Court officer to notify subsequent marriage or formation of civil partnership of a person entitled to payments under a maintenance order 9.26E Enforcement and apportionment where periodical payments are made under more than one order

CHAPTER 7

ESTIMATES OF COSTS

9.27 Estimates of Costs
9.27A Duty to make open proposals after a FDR appointment or where there has been no FDR appointment
9.28 Duty to make open proposals before a final hearing

CHAPTER 8

PENSIONS

- 9.29 Application and interpretation of this Chapter
- 9.30 What the party with pension rights must do when the court fixes a first appointment
- 9.31 Applications for pension sharing orders
- 9.32 Applications for consent orders for pension sharing
- 9.33 Applications for pension attachment orders
- 9.34 Applications for consent orders for pension attachment
- 9.35 Pension sharing orders or pension attachment orders
- 9.36 Duty of the court upon making a pension sharing order or a pension attachment order
- 9.37 Procedure where Pension Protection Fund becomes involved with the pension scheme

CHAPTER 9

PENSION PROTECTION FUND COMPENSATION

- 9.38 Application and interpretation of this Chapter
- 9.39 What the party with compensation rights must do when the court fixes a first appointment
- 9.40 Applications for pension compensation sharing orders
- 9.41 Applications for consent orders for pension compensation sharing
- 9.42 Applications for pension compensation attachment orders
- 9.43 Applications for consent orders for pension compensation attachment
- 9.44 Pension compensation sharing orders or pension compensation attachment orders
- 9.45 Duty of the court upon making a pension compensation sharing order or a pension compensation attachment order

CHAPTER 10

COMMUNICATION OF INFORMATION FROM FINANCIAL REMEDY PROCEEDINGS

9.46 Communication of information: Practice Direction 9B

PART 10

APPLICATIONS UNDER PART 4 OF THE FAMILY LAW ACT 1996

10.1	Scope and	interpretation of this Part	
------	-----------	-----------------------------	--

- 10.2 Applications for an occupation order or a non-molestation order
- 10.3 Service of the application
- 10.4 Transfer of pending proceedings to another court
- 10.5 Privacy
- 10.6 Service of an order
- 10.7 Representations made by a mortgagee or landlord
- 10.8 Applications to vary, extend or discharge an order
- 10.9 Orders containing provisions to which a power of arrest is attached
- 10.10 Service of an order on the officer for the time being in charge of a police station
- 10.11 Proceedings following arrest ...
- 10.12 Enforcement of an order: requirement for a penal notice
- 10.13 Enforcement of an undertaking
- 10.14 Power to adjourn the hearing for consideration of the penalty
- 10.15 Hospital orders or guardianship orders under the Mental Health Act 1983
- 10.16 Transfer directions under section 48 of the Mental Health Act 1983
- 10.17 Recognizances

PART 11

APPLICATIONS UNDER PART 4A OF THE FAMILY LAW ACT 1996 OR PART 1 OF SCHEDULE 2 TO THE FEMALE GENITAL MUTILATION ACT 2003

- 11.1 Scope and interpretation
- 11.2 Applications
- 11.2A Directions about service
 - 11.3 Permission to apply
 - 11.4 Service of applications on notice
 - 11.5 Transfer of proceedings
 - 11.6 Parties
 - 11.7 Hearings and service of orders
 - 11.8 Orders made by the court of its own initiative
 - 11.9 Representations in respect of orders
- 11.10 Applications to vary, extend or discharge an order
- 11.11 Orders containing provisions to which a power of arrest is attached
- 11.12 Notifying the police
- 11.13 Application for issue of warrant for arrest
- 11.14 Proceedings following arrest
- 11.15 Enforcement of orders and undertakings
- 11.16 Power to adjourn the hearing for consideration of the penalty
- 11.17 Hospital orders or guardianship orders under the Mental Health Act 1983
- 11.18 Transfer directions under section 48 of the Mental Health Act 1983
- 11.19 Recognizances

PART 12

CHILDREN PROCEEDINGS EXCEPT PARENTAL ORDER PROCEEDINGS AND PROCEEDINGS FOR APPLICATIONS IN ADOPTION, PLACEMENT AND RELATED PROCEEDINGS

CHAPTER 1

INTERPRETATION AND APPLICATION OF THIS PART

12.2 Interpretation

CHAPTER 2

GENERAL RULES

12.3	Who the parties are
12.4	Notice of proceedings to person with foreign parental responsibility
12.5	What the court will do when the application has been issued
12.6	Children's guardian, solicitor and reports under section 7 of the 1989 Act
12.7	What a court officer will do
12.8	Service
12.9	Request for transfer from magistrates' court to county court or to another magistrates' court
12.10	Procedure following refusal of magistrates' court to order transfer
12.11	Transfer of proceedings from one court to another court
12.12	Directions
12.13	Setting dates for hearings and setting or confirming the timetable and date for the final hearing
12.14	Attendance at hearings
12.15	Steps taken by the parties
12.16	Applications without notice
12.17	Investigation under section 37 of the 1989 Act
12.18	Disclosure of a report under section 14A(8) or (9) of the 1989 Act
12.19	Additional evidence
12.20	Expert evidence-examination of child
12.21	Hearings

CHAPTER 3

SPECIAL PROVISIONS ABOUT PUBLIC LAW PROCEEDINGS

12.22	Timetable for the proceedings
12.23	Application of rules 12.24 to 12.26C
12.24	Directions
12.25	The Case Management Hearing and the Issues Resolution Hearing
12.26	Discussion between advocates
12.26A	Application for extension of the time limit for disposing of the application
12.26B	Disapplication of rule 4.1(3)(a) court's power to extend or shorten the time
	for compliance with a rule
12.26C	Extension of time limit: reasons for court's decision
12.27	Matters prescribed for the purposes of the Act

- 12.28 Exclusion requirements: interim care orders and emergency protection orders
- 12.29 Notification of consent
- 12.30 Proceedings for secure accommodation orders: copies of reports

CHAPTER 4

SPECIAL PROVISIONS ABOUT PRIVATE LAW PROCEEDINGS

- 12.31 The First Hearing Dispute Resolution Appointment
- 12.32 Answer
- 12.33 Applications for warning notices or applications to amend enforcement orders by reason of change of residence
- 12.34 Service of a risk assessment
- 12.35 Service of enforcement orders or orders amending or revoking enforcement orders

CHAPTER 5

SPECIAL PROVISIONS ABOUT INHERENT JURISDICTION PROCEEDINGS

- 12.36 Where to start proceedings
- 12.37 Child as respondent to wardship proceedings
- 12.38 Registration requirements
- 12.39 Notice of child's whereabouts
- 12.40 Enforcement of orders in wardship proceedings
- 12.41 Child ceasing to be ward of court
- 12.42 Adoption of a child who is a ward of court
- 12.42A Application for a writ of habeas corpus for release in relation to a minor
- 12.42B Application to set aside an inherent jurisdiction order

CHAPTER 6

PROCEEDINGS UNDER THE 1980 HAGUE CONVENTION, THE EUROPEAN CONVENTION, ... AND THE 1996 HAGUE CONVENTION

12.43 Scope

SECTION 1

Proceedings under the 1980 Hague Convention or the European Convention

- 12.44 Interpretation
- 12.45 Where to start proceedings
- 12.46 Evidence in support of application
- 12.47 Without-notice applications
- 12.48 Directions
- 12.49 Answer
- 12.50 Filing and serving written evidence
- 12.51 Adjournment
- 12.52 Stay of proceedings upon notification of wrongful removal etc.
- 12.52A Application to set aside a return order under the 1980 Hague Convention

- 12.53 Stay of proceedings where application made under s.16 of the 1985 Act (registration of decisions under the European Convention)
- 12.54 Transfer of proceedings
- 12.55 Revocation and variation of registered decisions
- 12.56 The central index of decisions registered under the 1985 Act
- 12.57 Disclosure of information in proceedings under the European Convention

SECTION 2

Applications relating to ... the 1996 Hague Convention

- 12.58 Interpretation
- 12.59 Procedure under Article 11(6) of the Council Regulation where the court makes a non-return order under Article 13 of the 1980 Hague Convention
- 12.60 Procedure under Article 11(7) of the Council Regulation where the court receives a non-return order made under Article 13 of the 1980 Hague Convention by a court in another Member State
- 12.61 Transfer of proceedings under ... Article 8 of the 1996 Hague Convention
- 12.62 Application by a party for transfer of the proceedings
- 12.63 Application by a court of ... another Contracting State for transfer of the proceedings
- 12.64 Exercise by the court of its own initiative of powers to seek to transfer the proceedings
- 12.65 Application to High Court to make request under ... Article 9 of the 1996 Hague Convention to request transfer of jurisdiction
- 12.66 Procedure where the court receives a request from the authorities of another ... Contracting State to assume jurisdiction in a matter concerning a child
- 12.67 Service of the court's order or request relating to transfer of jurisdiction under ...the 1996 Hague Convention
- 12.68 Questions as to the court's jurisdiction or whether the proceedings should be stayed
- 12.69 Request for consultation as to contemplated placement of child in England and Wales
- 12.70 Request made by court in England and Wales for consultation as to contemplated placement of child in another ... Contracting State
- 12.71 Application for a declaration as to the extent, or existence, of parental responsibility in relation to a child under Article 16 of the 1996 Hague Convention

CHAPTER 6A

Special provision about return proceedings with links to asylum claims

12.71A (1) In this rule—" child concerned" means the...

CHAPTER 7

COMMUNICATION OF INFORMATION: CHILDREN PROCEEDINGS

- 12.72 Interpretation
- 12.73 Communication of information: general
- 12.74 Instruction of experts

12.75 Communication of information for purposes connected with the proceedings

PART 13

PROCEEDINGS UNDER SECTION 54 OR SECTION 54A OF THE HUMAN FERTILISATION AND EMBRYOLOGY ACT 2008

13.1	Interpretation	and ap	plication
------	----------------	--------	-----------

- 13.2 Application of Part 12
- 13.3 Who the parties are
- 13.4 Notice of proceedings to person with foreign parental responsibility
- 13.5 What the court or a court officer will do when the application has been issued
- 13.6 Service of the application and other documents
- 13.7 Acknowledgement
- 13.8 Date for first directions hearing
- 13.9 The first directions hearing
- 13.10 Where the agreement of the other parent or the woman who carried the child is not required
- 13.11 Agreement
- 13.12 Reports of the parental order reporter and disclosure to the parties
- 13.13 Notice of final hearing
- 13.14 The final hearing
- 13.15 Proof of identity of the child
- 13.16 Disclosing information to an adult who was subject to a parental order
- 13.17 Application for recovery orders
- 13.18 Keeping of registers, custody, inspection and disclosure of documents and information
- 13.19 Documents held by the court not to be inspected or copied without the court's permission
- 13.20 Orders
- 13.21 Copies of orders
- 13.22 Amendment and revocation of orders

PART 14

PROCEDURE FOR APPLICATIONS IN ADOPTION, PLACEMENT AND RELATED PROCEEDINGS

- 14.1 Application of this Part and interpretation
- 14.2 Assignment of a serial number
- 14.3 Who the parties are
- 14.4 Notice of proceedings to person with foreign parental responsibility
- 14.5 Who is to serve
- 14.6 What the court or a court officer will do when the application has been issued
- 14.7 Date for first directions hearing
- 14.8 The first directions hearing
- 14.9 Requesting the court to dispense with the consent of any parent or guardian
- 14.10 Consent
- 14.11 Reports by the adoption agency or local authority
- 14.12 Health reports
- 14.13 Confidential reports to the court and disclosure to the parties
- 14.14 Communication of information relating to proceedings

14.15	Notice of final hearing
14.16	The final hearing
14.17	Proof of identity of the child
14.18	Disclosing information to an adopted adult
14.19	Translation of documents
14.20	Application for recovery orders
14.21	Notice to fathers without parental responsibility
14.22	Timing of applications for section 89 order
14.23	Custody of documents
14.24	Documents held by the court not to be inspected or copied without the
	court's permission
14.25	Orders
14.26	Copies of orders
14.27	Amendment and revocation of orders
14.28	Keeping registers in the family proceedings court

PART 15

REPRESENTATION OF PROTECTED PARTIES

15.1	Application of this Part
15.2	Requirement for litigation friend in proceedings
15.3	Stage of proceedings at which a litigation friend becomes necessary
15.4	Who may be a litigation friend for a protected party without a court order
15.5	How a person becomes a litigation friend without a court order
15.6	How a person becomes a litigation friend by court order
15.7	Court's power to change litigation friend and to prevent person acting as
	litigation friend
15.8	Appointment of litigation friend by court order – supplementary
15.9	Procedure where appointment of litigation friend comes to an end

PART 16

REPRESENTATION OF CHILDREN AND REPORTS IN PROCEEDINGS INVOLVING CHILDREN

CHAPTER 1

APPLICATION OF THIS PART

16.1 Application of this Part

CHAPTER 2

CHILD AS PARTY IN FAMILY PROCEEDINGS

16.2 When the court may make a child a party to proceedings

CHAPTER 3

WHEN A CHILDREN'S GUARDIAN OR LITIGATION FRIEND WILL BE APPOINTED

16.3 Appointment of a children's guardian in specified proceedings or proceedings to which Part 14 applies

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 16.4 Appointment of a children's guardian in proceedings not being specified proceedings or proceedings to which Part 14 applies
- 16.5 Requirement for a litigation friend

16.16 Application of this Chapter

CHAPTER 4

WHERE A CHILDREN'S GUARDIAN OR LITIGATION FRIEND IS NOT REQUIRED

16.6 Circumstances in which a child does not need a children's guardian or litigation friend

CHAPTER 5

LITIGATION FRIEND

16.7	Application of this Chapter
16.8	Stage of proceedings at which a litigation friend becomes necessary
16.9	Who may be a litigation friend for a child without a court order
16.10	How a person becomes a litigation friend without a court order
16.11	Appointment of litigation friend by the court
16.12	Court's power to change litigation friend and to prevent person acting as
	litigation friend
16.13	Appointment of litigation friend by court order – supplementary
16.14	Powers and duties of litigation friend
16.15	Procedure where appointment of litigation friend comes to an end

CHAPTER 6

CHILDREN'S GUARDIAN APPOINTED UNDER RULE 16.3

10.10	Application of this Chapter
16.17	Who may be a children's guardian
16.18	What the court or a court officer will do once the court has made a decision
	about appointing a children's guardian
16.19	Termination of the appointment of the children's guardian
16.20	Powers and duties of the children's guardian
16.21	Where the child instructs a solicitor or conducts proceedings on the child's
	own behalf

CHAPTER 7

CHILDREN'S GUARDIAN APPOINTED UNDER RULE 16.4

16.22	Application of this Chapter
16.23	Stage of proceedings at which a children's guardian becomes necessary
16.24	Appointment of a children's guardian
16.25	Court's power to change children's guardian and to prevent person acting a
	children's guardian
16.26	Appointment of children's guardian by court order – supplementary
16.27	Powers and duties of children's guardian
16.28	Procedure where appointment of children's guardian comes to an end

CHAPTER 8

DUTIES OF SOLICITOR ACTING FOR THE CHILD

16.29 Solicitor for child

CHAPTER 9

REPORTING OFFICER

16.30	When the court appoints a reporting officer
16.31	Appointment of the same reporting officer in respect of two or more parents
	or guardians
16.32	The duties of the reporting officer

CHAPTER 10

CHILDREN AND FAMILY REPORTER AND WELFARE OFFICER

16.33 Request by court for a welfare report in respect of the child

CHAPTER 11

PARENTAL ORDER REPORTER

- 16.34 When the court appoints a parental order reporter
- 16.35 Powers and duties of the parental order reporter

CHAPTER 12

SUPPLEMENTARY APPOINTMENT PROVISIONS

- 16.36 Persons who may not be appointed as children's guardian, reporting officer or children and family reporter
- 16.37 Appointment of the same person as children's guardian, reporting officer and children and family reporter

CHAPTER 13

OFFICERS OF THE SERVICE, WELSH FAMILY PROCEEDINGS OFFICERS AND LOCAL AUTHORITY OFFICERS: FURTHER DUTIES

16.38 Officers of the Service, Welsh family proceedings officers and local authority officers acting under certain duties

CHAPTER 14

ENFORCEMENT ORDERS AND FINANCIAL COMPENSATION ORDERS: PERSONS NOTIFIED

16.39 Application for enforcement orders and financial compensation orders: duties of the person notified

PART 17

	STATEMENTS OF TRUTH
17.2 17.3 17.4 17.5	Interpretation Documents to be verified by a statement of truth Failure to verify a statement of case Failure to verify a witness statement Power of the court to require a document to be verified False statements
	PART 18
	PROCEDURE FOR OTHER APPLICATIONS IN PROCEEDINGS
18.2 18.3 18.4 18.5 18.6 18.7 18.8 18.9 18.10	Types of application for which Part 18 procedure may be followed Applications for permission to start proceedings Respondents to applications under this Part Application notice to be filed Notice of an application Time when an application is made What an application notice must include Service of a copy of an application notice Applications which may be dealt with without a hearing Service of application notice following court order where application made without notice Application to set aside or vary order made without notice Power of the court to proceed in the absence of a party Dismissal of totally without merit applications
	PART 19
	ALTERNATIVE PROCEDURE FOR APPLICATIONS
19.2 19.3 19.4 19.5 19.6 19.7 19.8	Types of application for which Part 19 procedure may be followed Applications for which the Part 19 procedure must be followed Contents of the application Issue of application without naming respondents Acknowledgment of service Consequence of not filing an acknowledgment of service Filing and serving written evidence Evidence – general Procedure where respondent objects to use of the Part 19 procedure
	PART 20

INTERIM REMEDIES AND SECURITY FOR COSTS

CHAPTER 1

INTERIM REMEDIES

20.1	Scope of this Part
20.2	Orders for interim remedies
20.2	Ti 1 1 C

- 20.3 Time when an order for an interim remedy may be made
- 20.4 How to apply for an interim remedy

20.5 Interim injunction to cease if application is stayed

CHAPTER 2

SECURITY FOR COSTS

20 (• .	C	
20.6	Sec	urity/	tor	costs
40.0	500	uiitv	101	COSIS

- 20.7 Conditions to be satisfied
- 20.8 Security for costs of an appeal

PART 21

MISCELLANEOUS RULES ABOUT DISCLOSURE AND INSPECTION OF DOCUMENTS

- 21.1 Interpretation
- 21.2 Orders for disclosure against a person not a party
- 21.3 Claim to withhold inspection or disclosure of a document

PART 22

EVIDENCE

CHAPTER 1

GENERAL RULES

22.1	Power	of court	to control	evidence

- 22.2 Evidence of witnesses general rule
- 22.3 Evidence by video link or other means
- 22.4 Witness statements
- 22.5 Service of witness statements for use at the final hearing
- 22.6 Use at the final hearing of witness statements which have been served
- 22.7 Evidence at hearings other than the final hearing
- 22.8 Order for cross-examination
- 22.9 Witness summaries
- 22.10 Consequence of failure to serve witness statement
- 22.11 Cross-examination on a witness statement
- 22.12 Affidavit evidence
- 22.13 Form of affidavit
- 22.14 Affidavit made outside the jurisdiction
- 22.15 Notice to admit facts
- 22.16 Notice to admit or produce documents
- 22.17 Notarial acts and instruments

CHAPTER 2

RULES APPLYING ONLY TO PARTICULAR PROCEEDINGS

- 22.18 Scope of this Chapter
- 22.19 Availability of witness statements for inspection during the final hearing
- 22.20 Use of witness statements for other purposes

PART 23

MISCELLANEOUS RULES ABOUT EVIDENCE

23.1 Scope and interpretation of this Part	23.1	Scope and	interpretation	of this Part
--------------------------------------------	------	-----------	----------------	--------------

- 23.2 Notice of intention to rely on hearsay evidence
- 23.3 Circumstances in which notice of intention to rely on hearsay evidence is not required
- 23.4 Power to call witness for cross-examination on hearsay evidence
- 23.5 Credibility
- 23.6 Use of plans, photographs and models etc as evidence
- 23.7 Evidence of finding on question of foreign law
- 23.8 Evidence of consent of trustee to act
- 23.9 Note of oral evidence ...

PART 24

WITNESSES AND DEPOSITIONS GENERALLY

CHAPTER 1

WITNESSES AND DEPOSITIONS

- 24.1 Scope of this Chapter
- 24.2 Witness summonses
- 24.3 Issue of a witness summons
- 24.4 Time for serving a witness summons
- 24.5 Who is to serve a witness summons
- 24.6 Right of witness to travelling expenses and compensation for loss of time
- 24.7 Evidence by deposition
- 24.8 Conduct of examination
- 24.9 Enforcing attendance of witness
- 24.10 Use of deposition at a hearing
- 24.11 Restrictions on subsequent use of deposition taken for the purpose of any hearing except the final hearing
- 24.12 Where a person to be examined is out of the jurisdiction letter of request
- 24.13 Fees and expenses of examiner of the court
- 24.14 Examiners of the court

CHAPTER 2

TAKING OF EVIDENCE - MEMBER STATES OF THE EUROPEAN UNION

- 24.15 Interpretation
- 24.16 Where a person to be examined is in another Regulation State

PART 25

EXPERTS AND ASSESSORS

- 25.1 Duty to restrict expert evidence
- 25.2 Interpretation
- 25.3 Experts-overriding duty to the court
- 25.4 Control of expert evidence in proceedings other than children proceedings
- 25.5 Further provisions about the court's power to restrict expert evidence

25.6 25.7 25.8 25.9 25.10 25.11 25.12 25.13 25.14	When to apply for the court's permission What an application notice requesting the court's permission must include Where permission is granted General requirement for expert evidence to be given in a written report Written questions to experts Court's power to direct that evidence is to be given by a single joint expert Instructions to a single joint expert Power of court to direct a party to provide information Contents of report
25.15 25.16 25.17 25.18 25.19 25.20	Use by one party of expert's report disclosed by another Discussions between experts Expert's right to ask court for directions Copies of orders and other documents Action after final hearing Assessors
	PART 26
	CHANGE OF SOLICITOR
	CIMINGE OF SOCIOTION
26.1 26.2 26.3 26.4	Solicitor acting for a party Change of solicitor – duty to give notice Order that a solicitor has ceased to act Removal of solicitor who has ceased to act on application of another party
	PART 27
	HEARINGS AND DIRECTIONS APPOINTMENTS
27.1 27.2 27.3 27.4 27.5 27.6 27.7 27.8 27.9 27.10 27.11	Application of this Part Reasons for a decision: proceedings before a lay justice or justices Attendance at hearing or directions appointment Proceedings in the absence of a party Application to set aside judgment or order following failure to attend Court bundles and place of filing of documents and bundles Representation of companies or other corporations Impounded documents Recording, transcription and informal notes of proceedings Hearings in private Attendance at private hearings
	PART 28
	COSTS
28.1 28.2 28.3 28.4	Costs Application of other rules Costs in financial remedy proceedings Wasted costs orders in the magistrates' court: appeals PART 29
	MISCELLANEOUS

29.1

29.2 29.3 Personal details

Method of giving notice

Disclosure of information under the 1991 Act

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 29.4 Withdrawal of applications in proceedings
- 29.5 The Human Rights Act 1998
- 29.6 Documents in proceedings concerning gender recognition
- 29.7 Stamping or sealing court documents
- 29.8 Applications for relief which is precluded by the 1991 Act
- 29.9 Modification of rule 29.8 where the application is not freestanding
- 29.10 Standard requirements
- 29.11 Drawing up and filing of judgments and orders
- 29.12 Access to and inspection of documents retained in court
- 29.13 Service of judgments and orders
- 29.14 Power to require judgment or order to be served on a party as well as the party's solicitor
- 29.15 When judgment or order takes effect
- 29.16 Correction of errors in judgments and orders
- 29.17 Transfer of proceedings
- 29.18 Application for change of area
- 29.19 Allocation of proceedings to another level of judge

PART 30

APPEALS

- 30.1 Scope and interpretation
- 30.2 Parties to comply with the practice direction
- 30.3 Permission
- 30.4 Appellant's notice
- 30.5 Respondent's notice
- 30.6 Grounds of appeal
- 30.7 Variation of time
- 30.8 Stay
- 30.9 Amendment of appeal notice
- 30.10 Striking outappeal notices and setting aside or imposing conditions on permission to appeal
- 30.11 Appeal court's powers
- 30.12 Hearing of appeals
- 30.12A Appeal court's power to order that hearing of appeal be held in public
 - 30.13 Assignment of appeals to the Court of Appeal
 - 30.14 Reopening of final appeals

PART 31

REGISTRATION OF ORDERS UNDER THE COUNCIL REGULATION, THE CIVIL PARTNERSHIP (JURISDICTION AND RECOGNITION OF JUDGMENTS) REGULATIONS 2005, THE MARRIAGE (SAME SEX COUPLES) (JURISDICTION AND RECOGNITION OF JUDGMENTS) REGULATIONS 2014 AND UNDER THE HAGUE CONVENTION 1996

- 31.1 Scope
- 31.2 Interpretation
- 31.3 Where to start proceedings
- 31.4 Application for registration, recognition or non-recognition of a judgment
- 31.5 Documents supplementary
- 31.6 Directions
- 31.7 Recognition and enforcement under the Council Regulation of a judgment given in another Member State relating to rights of access or under Article 11(8) for the return of the child to that State

210	D ' ' '	C	1 C	•,•	c · 1	
3 I X	Registration	tor entorcement	t or order for non.	recognition o	nt a 1110	loment
51.0	registration	101 CHIOTCCHICH	t or order for non-	recognition o	n a jud	gmom

- 31.9 Stay of recognition proceedings by reason of an appeal
- 31.10 Effect of refusal of application for a decision that a judgment should not be recognised
- 31.11 Notification of the court's decision on an application for registration or non-recognition
- 31.12 Effect of registration under rule 31.11
- 31.13 The central index of judgments registered under rule 31.11
- 31.14 Decision on recognition of a judgment only
- 31.15 Appeal against the court's decision under rules 31.10, 31.11 or 31.14
- 31.16 Stay of enforcement where appeal pending in state of origin
- 31.17 Enforcement of judgments registered under rule 31.11
- 31.18 Request for a certificate or a certified copy of a judgment
- 31.19 Certificates issued in England and Wales under Articles 41 and 42 of the Council Regulation
- 31.20 Rectification of certificate issued under Article 41 or 42 of the Council Regulation
- 31.21 Authentic instruments and agreements under Article 46 of the Council Regulation
- 31.22 Application for provisional, including protective measures.

PART 32

REGISTRATION AND ENFORCEMENT OF ORDERS

CHAPTER 1

SCOPE AND INTERPRETATION OF THIS PART

32.1 Scope and interpretation

CHAPTER 2

REGISTRATION ETC. OF ORDERS UNDER THE 1950 ACT

SECTION 1

Interpretation of this Chapter

32.2 Interpretation

SECTION 2

Registration etc of High Court and family court orders

- 32.3 Registration of a High Court order
- 32.4 Notice of Variation etc. of a High Court order
- 32.5 Cancellation of registration of a High Court order by the court of registration
- 32.5A Cancellation of registration of a High Court order by the High Court
- 32.6 Application of this Chapter to a family court order
- 32.6A Variation of a family court order: section 22(1) of the 1950 Act
- 32.6B Application to adduce evidence: section 22(5) of the 1950 Act

SECTION 3

Registration etc. of Scottish and Northern Irish order

32.7	Registration of Scottish and Northern Irish orders	
------	----------------------------------------------------	--

- 32.8 Application to adduce evidence: sections 21(2) and 22(5) of the 1950 Act
- 32.9 Notice of variation etc. of Scottish and Northern Irish orders
- 32.9A Variation of Scottish and Northern Irish orders by the family court
- 32.10 Cancellation of registration of Scottish and Northern Irish orders
- 32.10A Payments under a maintenance order registered in the family court
 - 32.11 Enforcement
 - 32.12 Inspection of register and copies of order
- 32.12A Notices and certificates: section 19(4), 20(1) and 24(5) and (5A) of the 1950 Act

CHAPTER 3

REGISTRATION OF MAINTENANCE ORDERS UNDER THE 1958 ACT

- 32.13 Interpretation
- 32.14 Registration of orders prescribed period
- 32.15 Application for registration of a maintenance order in the family court procedure in the High Court
- 32.15A Application for registration of a maintenance order in the family court procedure in the family court
 - 32.16 Registration in the family court of an order registered in the High Court procedure in the High Court
- 32.16A Registration in the family court of an order registered in the High Court procedure in the family court
 - 32.17 Registration in the High Court of a magistrates' court order
 - 32.18 Registration in the High Court of an order registered in a magistrates' court
 - 32.19 Variation or discharge of an order registered in the family court procedure in the High Court
- 32.19A Variation, remission, discharge or cancellation of registration of an order registered in the family court procedure in the family court
- 32.20 Variation or discharge of an order registered in the High Court
- 32.21 Cancellation of registration orders registered in the High Court
- 32.22 Cancellation of registration orders registered in the family court
- 32.22A Notices: payments made through the family court
- 32.22B Method of payment
- 32.22C Variation of method of payment
- 32.22D Notices received from another court or from a person entitled to payments

CHAPTER 4

REGISTRATION AND ENFORCEMENT OF CUSTODY ORDERS UNDER THE 1986 ACT

- 32.23 Interpretation
- 32.24 Prescribed officer and functions of the court
- 32.25 Application for the registration of an order made by the High Court or the family court
- 32.26 Registration of orders made in Scotland, Northern Ireland or a specified dependent territory

32.27	Revocation and variation of an order made in the High Court or the family
32.28	court Registration of varied, revoked or recalled orders made in Scotland, Northern Ireland or a specified dependent territory
32.29	Interim directions
32.30	Staying and dismissal of enforcement proceedings
32.31	Particulars of other proceedings
32.32	Inspection of register
	Chapter 5
	Ability of a court officer to take enforcement proceedings in relation to certain orders for periodical payments
32.33	Court officers and enforcement proceedings
	PART 33
	ENFORCEMENT
	CHAPTER 1
	GENERAL RULES
33.1	Application
	SECTION 1
	Enforcement of orders for the payment of money
33.2	Application of the Civil Procedure Rules
33.3	How to apply
33.4	Transfer of orders
	SECTION 2
	Committal and injunction
	Enforcement of orders by way of committal
33.6	Proceedings in the principal registry treated as pending in a designated
33.7	county court Specific modifications of the CCR
33.8	Section 118 County Courts Act 1984 and the tipstaff
	CHAPTER 2
	COMMITTAL BY WAY OF JUDGMENT SUMMONS
33.9	Interpretation
33.10	Application
33.11	Judgment summons
33.12 33.13	Successive judgment summonses Order or summons to attend adjourned hearing: requirement for personal
JJ.13	service
33.14	Committal on application for judgment summons

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

33.14A 33.15	Expenses Orders for the benefit of different persons
33.16 33.17 33.18	
	CHAPTER 3
	ATTACHMENT OF EARNINGS
33.19 33.19A	Enforcement by attachment of earnings order Application of CCR Order 27: enforcement of a maintenance order
	CHAPTER 4
	WARRANT OF CONTROL
33.20 33.21	Applications to vary existing orders Section 103 County Courts Act 1984
	CHAPTER 5
	COURT'S POWER TO APPOINT A RECEIVER
33.22	Application of the CPR
	CHAPTER 6
	ORDERS TO OBTAIN INFORMATION FROM JUDGMENT DEBTORS
33.23	Application of the CPR
	CHAPTER 7
	THIRD PARTY DEBT ORDERS
33.24	Application of the CPR
	CHAPTER 8
	CHARGING ORDER, STOP ORDER, STOP NOTICE
33.25	Application for a charging order, stop order or stop notice
	PART 34
	RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS
34.1 34.2 34.3	Scope and interpretation of this Part Meaning of prescribed officer in the family court Registration of maintenance orders in the family court

CHAPTER 1

ENFORCEMENT OF MAINTENANCE ORDERS UNDER THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT 1920

34.4	Interpretation
34.5	Confirmation of provisional orders made in a reciprocating country
34.6	Payment of sums due under registered orders
34.7	Collection and enforcement of sums due under registered orders
34.8	Prescribed notice for the taking of further evidence
34.9	Transmission of maintenance orders made in a reciprocating country to the
	High Court
34.10	Transmission of maintenance orders made in the High Court to a
	reciprocating country
34.11	Inspection of the register in the High Court

CHAPTER 2

ENFORCEMENT OF MAINTENANCE ORDERS UNDER PART 1 OF THE 1972 ACT

34.12	Interpretation
34.13	Scope

34.24 34.25

SECTION 1

Reciprocal enforcement of maintenance orders under Part 1 of the 1972 Act

	Reciprocul enforcement of maintenance orders under 1 art 1 of the 1972 Act
34.14	Application for transmission of maintenance order to reciprocating country
34.15	Certification of evidence given on provisional orders
34.16	Confirmation of a provisional order made in a reciprocating country
34.17	Consideration of revocation of a provisional order made by the family court
34.18	Notification of variation or revocation of a maintenance order by the High
	Court or the family court
34.19	Notification of confirmation, variation or revocation of a maintenance
	order by the family court
34.20	Taking of evidence for court in reciprocating country
34.21	Request for the taking of evidence by a court in a reciprocating country
34.22	Transmission of documents
34.23	Method of payment under registered orders

SECTION 2

Modification of rules in Section 1 of this Chapter

SUB-SECTION 1

Republic of Ireland

34.26 Application of Section 1 of this Chapter to the Republic of Ireland

Enforcement of payments under registered orders

Notification of registration and cancellation

SUB-SECTION 2

Hague Convention Countries

34.27 Application of Section 1 of this Chapter to the Hague Convention Countries

SUB-SECTION 3

United States of America

34.28 Application of Section 1 of this Chapter to the United States of America

SECTION 3

Proceedings in a Hague Convention Country or in the United States of America

34.28ZA Notification of proceedings in a Hague Convention Country or in the United States of America

SECTION 4

Reciprocal enforcement of claims for the recovery of maintenance

34.28ZB	Interpretation
34.28ZC	Dismissal of an application under section 27A of the 1972 Act or application for variation
34.28ZD	Application for recovery of maintenance in England and Wales: section 27B of the 1972 Act
34.28ZE	Application under section 26(1) or (2) of the 1972 Act and certificate under section 26(3A) of the 1972 Act: registration
34.28ZF	Registration of an order: sections 27C(7) and 32(3) and (6) of the 1972 Act
34.28ZG	Payments made to the family court
34.28ZH	Method of payment
34.28ZI	Application under section 34 of the 1972 Act: variation or revocation
34.28ZJ	Application under section 35 of the 1972 Act: variation or revocation
34.28ZK	Request under section 38(1) of the 1972 Act to the family court
34.28ZL	Request under section 38(1) of the 1972 Act to the officer of the court
34.28ZM	Onward transmission of documents

CHAPTER 3

ENFORCEMENT OF MAINTENANCE ORDERS UNDER THE 2007 HAGUE CONVENTION

34.28A Application of this Chapter

SECTION 1

Registration and Enforcement in a Magistrates' Court of Maintenance Orders made in a State bound by the 2007 Hague Convention

34.29 34.29A	Interpretation Application under Article 30 of the Maintenance Regulation or under Article 23 of the 2007 Hague Convention for a declaration of enforceability
34.30	Registration of maintenance orders
34.31	Appeal from a decision relating to registration

34.32	Payment of sums due under a registered order
34.33	Enforcement of payments under registered orders
34.34 34.35	Variation and revocation of registered orders Registered order: payer residing in an area covered by a different
34.33	Maintenance Enforcement Business Centre
34.36	Cancellation of registered orders
34.36A	Directions as to stays, documents and translations
34.36B	International Maintenance Obligations; Communication with the Central Authority for England and Wales
34.36C	The Maintenance Regulation: applications for enforcement or for refusal or
	suspension of enforcement
	SECTION 2
	Reciprocal enforcement in a Contracting State or a Member State of the European Union of Orders of a court in England and Wales
34.37	Application in a magistrates' court for a maintenance order, or revocation of a maintenance order, to which the 1982 Act, the Judgments Regulations or the Lugano Convention applies
34.38	Admissibility of Documents
34.39 34.40	Enforcement of orders of the family court Enforcement of orders of the High Court or the family court
34.40	PART 35
	MEDIATION DIRECTIVE
35.1	Scope and Interpretation
35.2	Relevant disputes: applications for consent orders in respect of financial
35.3	remedies Mediation evidence: disclosure and inspection
35.4	Mediation evidence: witnesses and depositions
	PART 36
	TRANSITIONAL ARRANGEMENTS AND PILOT SCHEMES
36.1 36.2	Transitional provisions Pilot schemes
36.2A	Domestic Abuse Act 2021: provision during pilot commencement of Part 3
36.3	Temporary modifications for coronavirus or other emergency
	PART 37
APPL	ICATIONS AND PROCEEDINGS IN RELATION TO CONTEMPT OF COURT
37.1	Scope
37.2	Interpretation
37.3	How to make a contempt application
37.4 37.5	Requirements of a contempt application Service of a contempt application
37.5	Cases where no application is made
37.7	Directions for hearing of contempt proceedings

Hearings and judgments in contempt proceedings

37.9 Powers of the court in contempt proceedings

37.8

37.10 Applications to discharge committal orders

PART 38

RECOGNITION AND ENFORCEMENT OF PROTECTION MEASURES

CHAPTER 1

SCOPE AND INTERPRETATION OF THIS PART

38.1 Scope and interpretation

CHAPTER 2

CERTIFICATES FOR OUTGOING PROTECTION MEASURES

38.2	Application for an Article 5 certificate
38.3	The court to which an application for an Article 5 certificate must be made
38.4	When a request for a translation of an Article 5 certificate may be made
38.5	The court to which a request for translation of an Article 5 certificate must
	be made
38.6	Service requirements under Article 6
38.7	Notification of the certificate under Article 8
38.8	Rectification of an Article 5 certificate
38.9	Withdrawal of an Article 5 certificate
38.10	When an application for an Article 14 certificate may be made
38.11	The court to which an application for an Article 14 certificate must be mad-

CHAPTER 3

INCOMING PROTECTION MEASURES

38.12	Application for adjustment under Article 11
38.13	Notification of the adjustment under Article 11
38.14	Application for refusal of recognition or enforcement under Article 13
38.15	Application under Article 14(2)

PART 39

ATTACHMENT OF EARNINGS

CHAPTER I

GENERAL

39.1	Application of this Part
39.2	Interpretation of this Part
30.3	Search of court records

CHAPTER 2

SECURING PAYMENTS UNDER A MAINTENANCE ORDER IN THE FAMILY COURT – ATTACHMENT OF EARNINGS ORDER

39.4 Where to apply

40.10

40.11

40.12

Interpretation

Application for a stop order

Stop order relating to securities

39.5	Application for an attachment of earnings order
39.6	Service and reply
39.7	Notice to the debtor's employer
39.8	Attachment of earnings order
39.9	Failure by debtor
39.10	Enforcement under section 23(1) of the 1971 Act
39.11	Suspended committal order
39.12	Costs
39.13	Contents and service of the order
39.14	Application to determine whether particular payments are earnings
39.15	Notice that an order has ceased to have effect
39.16	Variation and discharge by the court of its own initiative
39.17	Change of Designated Family Judge area
39.18	Exercise of power to obtain statement of earnings etc.
39.19	Offences
39.20	Permission to enforce arrears
	CHAPTER 3
	SECURING PAYMENTS UNDER A MAINTENANCE ORDER IN THE HIGH COURT – ATTACHMENT OF EARNINGS ORDER
39.21	Where an application is made to the High Court under
	PART 40
	FART 40
	CHARGING ORDER, STOP ORDER, STOP NOTICE
	CHAPTER 1
	GENERAL
40.1 40.2	Application of this Part Interpretation of this Part
40.2	interpretation of this Part
	CHAPTER 2
	CHARGING ORDERS
40.3	Scope of this Chapter
40.4	Application for a charging order
40.5	Interim charging order
40.6	Service of an interim charging order
40.7	Effect of interim charging order in relation to securities
40.8	Further consideration of the application
40.9	Discharge or variation of order

CHAPTER 3

STOP ORDERS

Changes to legislation: The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

40.13 Variation or discharge of order

CHAPTER 4

STOP NOTICES

40.14	General
40.15	Request for a stop notice
40.16	Effect of a stop notice
40.17	Amendment of a stop notice
40.18	Withdrawal of a stop notice
40.19	Discharge or variation of a stop notice
40.20	Practice Direction

PART 41

PROCEEDING BY ELECTRONIC MEANS

41.1 Provision for proceeding by electronic means

GLOSSARY

Scope

This glossary is a guide to the meaning of certain... Signature Explanatory Note

Changes to legislation:

The Family Procedure Rules 2010 is up to date with all changes known to be in force on or before 03 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. View outstanding changes

```
Changes and effects yet to be applied to:
      rule 2.3(1) words inserted by S.I. 2023/1324 rule 3(a)
      rule 2.3(1) words substituted by S.I. 2023/1324 rule 3(b)
      rule 3.4 heading substituted by S.I. 2023/1324 rule 7(a)
      rule 3.10 heading words inserted by S.I. 2023/1324 rule 14(a)
      rule 3.1 words omitted by S.I. 2023/1324 rule 5
      rule 3.8 heading words omitted by S.I. 2023/1324 rule 10
      rule 3.7(a) word inserted by S.I. 2023/1324 rule 9(a)
      rule 3.7(b) word substituted by S.I. 2023/1324 rule 9(b)
      rule 3.7(c) and words omitted by S.I. 2023/1324 rule 9(c)
      rule 3.6(1) words omitted by S.I. 2023/1324 rule 8
      rule 3.8(1)(a) sub-heading word substituted by S.I. 2023/1324 rule 11(a)
      rule 3.8(1)(a) word substituted by S.I. 2023/1324 rule 11(b)
      rule 3.8(1)(d) sub-heading words substituted by S.I. 2023/1324 rule 11(d)
      rule 3.8(1)(d)(i) word inserted by S.I. 2023/1324 rule 11(e)(i)(bb)
      rule 3.8(1)(d)(i) word substituted by S.I. 2023/1324 rule 11(e)(i)(aa)
      rule 3.8(1)(d)(i) word substituted by S.I. 2023/1324 rule 11(e)(i)(cc)
      rule 3.8(1)(d)(ii) substituted by S.I. 2023/1324 rule 11(e)(ii)
      rule 3.8(1)(e) omitted by S.I. 2023/1324 rule 11(f)
      rule 3.8(1)(g) omitted by S.I. 2023/1324 rule 11(f)
      rule 3.8(1)(i) omitted by S.I. 2023/1324 rule 11(f)
      rule 3.8(2) omitted by S.I. 2023/1324 rule 12
      rule 3.10(2) words inserted by S.I. 2023/1324 rule 14(c)
      rule 3.9(2)(b) substituted by S.I. 2023/1324 rule 13(a)
      rule 3.3(2)(b) words omitted by S.I. 2023/1324 rule 6(b)
      rule 3.9(2)(c) word substituted by S.I. 2023/1324 rule 13(b)
      rule 3.9(2)(d) word substituted by S.I. 2023/1324 rule 13(c)
      rule 3.4(3) words substituted by S.I. 2023/1324 rule 7(d)
      rule 3.10(3)(c) word omitted by S.I. 2023/1324 rule 14(d)(ii)
      rule 3.4(4) word inserted by S.I. 2023/1324 rule 7(e)
      rule 3.4(5)(a) words substituted by S.I. 2023/1324 rule 7(f)(i)
      rule 3.4(5)(b) word substituted by S.I. 2023/1324 rule 7(f)(ii)
      rule 3A.1 words omitted by S.I. 2023/1324 rule 15(a)
      rule 3A.1 words substituted by S.I. 2023/1324 rule 15(b)
      rule 9.23(1) words substituted by S.I. 2013/3204 rule 32(a)(i) (This amendment
      comes into force on the day on which 2013 c. 22, s. 17(3) is brought fully into force.
      That provision is in force at 22.4.2014 by S.I. 2014/954, art. 2(a) (with art. 3) (with
      transitional provisions and savings in S.I. 2014/956, arts. 3-11))
      rule 9.23(1) words substituted by S.I. 2013/3204 rule 32(a)(ii) (This amendment
      comes into force on the day on which 2013 c. 22, s. 17(3) is brought fully into force.
      That provision is in force at 22.4.2014 by S.I. 2014/954, art. 2(a) (with art. 3) (with
      transitional provisions and savings in S.I. 2014/956, arts. 3-11))
      rule 9.23(2) omitted by S.I. 2013/3204 rule 32(b) (This amendment comes into force
      on the day on which 2013 c. 22, s. 17(3) is brought fully into force. That provision
      is in force at 22.4.2014 by S.I. 2014/954, art. 2(a) (with art. 3) (with transitional
      provisions and savings in S.I. 2014/956, arts. 3-11))
     rule 9.15(5) words substituted by S.I. 2023/1324 rule 16
     rule 9.20(7) words substituted by S.I. 2023/1324 rule 17
      rule 14.8 words substituted by S.I. 2023/1324 rule 18
      rule 34.35(3)(d) full stop omitted by S.I. 2011/1328 rule 31(b)
```

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Rules applied (with modifications) by S.I. 2018/1125 reg. 8 (This amendment not applied to legislation.gov.uk. S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))
- rule 2.5(1B)(1C) inserted by S.I. 2023/1324 rule 4
- rule 3.10(1)(1A) substituted for rule 3.10(1) by S.I. 2023/1324 rule 14(b)
- rule 3.4(1)(1A) substituted for rule 3.4(1) by S.I. 2023/1324 rule 7(b)
- rule 3.8(1)(c)(ii)(ad) words substituted by S.I. 2023/1324 rule 11(c)
- rule 3.8(1)(k)(ai) inserted by S.I. 2023/1324 rule 11(g)(i)
- rule 3.8(1)(k)(i) words inserted by S.I. 2023/1324 rule 11(g)(ii)(bb)
- rule 3.8(1)(k)(i) words omitted by S.I. 2023/1324 rule 11(g)(ii)(aa)
- rule 3.8(1)(k)(iii) word substituted by S.I. 2023/1324 rule 11(g)(iv)(aa)
- rule 3.8(1)(k)(iii) word substituted by S.I. 2023/1324 rule 11(g)(iv)(cc)
- rule 3.8(1)(k)(iii) words inserted by S.I. 2023/1324 rule 11(g)(iv)(bb)
- rule 3.8(1)(k)(iii) words omitted by S.I. 2023/1324 rule 11(g)(iv)(dd)
- rule 3.8(1)(k)(ii) word substituted by S.I. 2023/1324 rule 11(g)(iii)
- rule 3.8(1)(1) words omitted by S.I. 2023/1324 rule 11(h)(i)
- rule 3.8(1)(1) words substituted by S.I. 2023/1324 rule 11(h)(ii)
- rule 3.8(1)(1)(i) words inserted by S.I. 2023/1324 rule 11(h)(iii)(bb)
- Tule 5.6(1)(1)(1) words inserted by 5.1. 2025/1524 full 11(11)(111)(00)
- rule 3.8(1)(l)(i) words substituted by S.I. 2023/1324 rule 11(h)(iii)(aa)
- rule 3.8(1)(m) omitted by S.I. 2023/1324 rule 11(i)
- rule 3.8(1)(n) words omitted by S.I. 2023/1324 rule 11(j)
- rule 3.8(1)(o)(ai) inserted by S.I. 2023/1324 rule 11(k)(i)
- rule 3.8(1)(o)(i) word substituted by S.I. 2023/1324 rule 11(k)(ii)
- rule 3.8(1)(o)(ii) word substituted by S.I. 2023/1324 rule 11(k)(iii)(aa)
- rule 3.8(1)(o)(ii) word substituted by S.I. 2023/1324 rule 11(k)(iii)(cc)
- rule 3.8(1)(o)(ii) words inserted by S.I. 2023/1324 rule 11(k)(iii)(bb)
- rule 3.8(1)(o)(ii) words omitted by S.I. 2023/1324 rule 11(k)(iii)(dd)
- rule 3.8(1)(p) substituted by S.I. 2023/1324 rule 11(1)
- rule 3.3(1A) inserted by S.I. 2023/1324 rule 6(a)
- rule 3.4(2)-(2B) substituted for rule 3.4(2) by S.I. 2023/1324 rule 7(c)
- rule 3.9(2)(e)(f) inserted by S.I. 2023/1324 rule 13(d)
- rule 3.10(3)(ba) inserted by S.I. 2023/1324 rule 14(d)(i)
- rule 3.10(3)(ca) inserted by S.I. 2023/1324 rule 14(d)(iii)
- rule 28.3(7)(aa) inserted by S.I. 2023/1324 rule 19