
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 6

SERVICE

CHAPTER 4

SERVICE OUT OF THE JURISDICTION

**Procedure where service is to be through foreign governments, judicial authorities and
British Consular authorities**

6.46.—(1) This rule applies where the applicant wishes to serve an application form, or other document, under rule 6.45(1) or (2).

(2) Where this rule applies, the applicant must file—

- (a) a request for service of the application form, or other document, by specifying one or more of the methods in rule 6.45(1) or (2);
- (b) a copy of the application form or other document;
- (c) any other documents or copies of documents required by Practice Direction 6B; and
- (d) any translation required under rule 6.47.

(3) When the applicant files the documents specified in paragraph (2), the court officer will—

- (a) seal^(GL), or otherwise authenticate with the stamp of the court, the copy of the application form or other document; and
- (b) forward the documents to the Senior Master of the [^{F1}King's] Bench Division.

(4) The Senior Master will send documents forwarded under this rule—

- (a) where the application form, or other document, is being served through the authority designated under the Hague Convention, to that authority; or
- (b) in any other case, to [^{F2}the Foreign, Commonwealth and Development Office] with a request that it arranges for the application form or other document to be served.

(5) An official certificate which—

- (a) states that the method requested under paragraph (2)(a) has been performed and the date of such performance;
- (b) states, where more than one method is requested under paragraph (2)(a), which method was used; and
- (c) is made by—
 - (i) a British Consular authority in the country where the method requested under paragraph (2)(a) was performed;
 - (ii) the government or judicial authorities in that country; or

Changes to legislation: There are currently no known outstanding effects for the
The Family Procedure Rules 2010, Section 6. (See end of Document for details)

(iii) the authority designated in respect of that country under the Hague Convention, is evidence of the facts stated in the certificate.

(6) A document purporting to be an official certificate under paragraph (5) is to be treated as such a certificate, unless it is proved not to be.

Textual Amendments

- F1** Word in rule 6.46(3)(b) substituted (6.4.2023) by [The Family Procedure \(Amendment\) Rules 2023 \(S.I. 2023/61\)](#), rules 1(3), **5**
- F2** Words in rule 6.46(4)(b) substituted (30.9.2020) by [The Transfer of Functions \(Secretary of State for Foreign, Commonwealth and Development Affairs\) Order 2020 \(S.I. 2020/942\)](#), art. 1(2), **Sch. para. 18(a)**

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 6.