
STATUTORY INSTRUMENTS

2013 No. 3204 (L. 26)

**FAMILY PROCEEDINGS
SENIOR COURTS OF ENGLAND AND WALES
FAMILY COURT, ENGLAND AND WALES**

The Family Procedure (Amendment No.3) Rules 2013

Made - - - - 16th December 2013

Laid before Parliament 19th December 2013

Coming into force in accordance with rule 1

THE FAMILY PROCEDURE (AMENDMENT NO.3) RULES 2013

1. Citation, interpretation and commencement
2. Amendments to the Family Procedure Rules 2010
3. For rule 2.1, substitute— Application of these Rules Unless the context otherwise requires, these rules apply to family...
4. In rule 2.3(1)— (a) omit the definitions of—
5. In rule 2.5(1)— (a) for the words from “, any...
6. In rule 4.3— (a) in paragraph (2), for “Where” substitute...
7. In rule 4.4(5), for “the High Court or a county...
8. In rule 4.8(a), for “the High Court or a county...
9. After rule 5.3, insert— Where to start proceedings (1) Where both the family court and the High Court...
10. In rule 6.16(1), for “district judge” substitute “court”.
11. In rule 6.18— (a) in paragraph (3), for “133 of...
12. Omit rules 7.1(2), 7.2, 7.3, 7.5 and 7.17.
13. In rule 7.20(2)(a), for “district judge” substitute “judge”.
14. Omit rules 7.23 and 7.24.
15. For rule 7.33(3), substitute— (3) An application under this rule...
16. Omit rule 8.7.
17. For rule 8.14, substitute— Where to start proceedings Where any matrimonial proceedings or civil partnership proceedings have been...
18. Omit rule 8.19.
19. For rule 8.24, substitute— How to start proceedings The application must be made in accordance with the Part...
20. In rule 8.28, for “If” substitute “In the High Court,...

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21. For rule 8.30, substitute— Where to start proceedings Where any matrimonial proceedings or civil partnership proceedings have been...
22. Omit rules 8.37 and 9.3(2).
23. In rule 9.5— (a) in paragraph (1)(a), for “a designated...
24. In rule 9.10— (a) in paragraph (1)(f), before “a child”...
25. In the heading to Chapter 4 of Part 9, omit...
26. In rule 9.12(1), for “in the High Court or in...
27. For the heading to Chapter 5 of Part 9, substitute...
28. In rule 9.18— (a) before paragraph (1) insert—
29. After rule 9.18, insert— Request for change of procedure (1) This rule applies if the applicant wishes to seek...
30. In rule 9.21, in the first column of the table,...
31. In rule 9.22— (a) in the heading, omit “in a...
32. In rule 9.23— (a) in paragraph (1)—
33. In rule 9.25, omit paragraphs (2)(a), (3), (4) and (5)....
34. Omit rule 9.27(3).
35. In rule 10.2— (a) in paragraph (2), for “Subject to...
36. Omit rule 10.4.
37. In rule 10.5, for “In the High Court and a...
38. In rule 10.11— (a) in the heading, omit “in a...
39. In rule 10.14— (a) for “The High Court or a...
40. In rule 10.15— (a) in paragraphs (1) and (2), for...
41. In rule 10.16— (a) in paragraph (1), for “High Court...
42. In rule 10.17— (a) in paragraph (1)—
43. In rule 11.1(1), omit “in the High Court or a...
44. Omit rule 11.5.
45. In rule 11.14, in the words in parentheses at the...
46. In rule 11.19(1)(a), for “district judge” substitute “judge of the...
47. Omit rules 12.9, 12.10 and 12.11.
48. In rule 12.16— (a) in paragraph (2) omit “, in...
49. In rule 12.33, omit “to the High Court or a...
50. In rule 12.35(1), for “the High Court or a county...
51. In rule 12.36(2), for “county court” substitute “family court”.
52. In rule 12.52(1)(a)— (a) for “a county court” substitute “the...
53. In rule 13.2, omit “12.9 to 12.11,”.
54. For rule 13.9(1)(e), substitute— (e) consider, in accordance with rule...
55. In rule 13.15(5)(a), for “the registration district of the court”...
56. For rule 13.17(1), substitute— (1) An application for any of...
57. In rule 13.18— (a) omit paragraph (1); and
58. In rule 13.22— (a) omit paragraph (2); and
59. In rule 14.8(1)(d)— (a) after “consider” insert “in accordance with...
60. In rule 14.17(6)(a), for “the registration district of the court”...
61. For rule 14.20(1), substitute— (1) An application for any of...
62. Omit rule 14.28.
63. Omit rule 17.6(3).
64. At the end of rule 18.2, insert the following words...
65. Omit rules 18.9(3) and 18.12(3).
66. In rule 18.13, omit “High Court or a county”.
67. Omit rule 20.1.
68. In rule 22.12, omit paragraph (2) and the words in...
69. Omit rule 24.1(2).
70. In rule 24.12(4), for “county court” substitute “family court”.
71. Omit rules 27.5(4) and 27.6(2) and (3) and the words...

72. In rule 28.2— (a) in paragraph (1)—
73. Omit rule 28.4.
74. After rule 29.16, insert— Transfer of proceedings (1) Subject to paragraph (3), a court may transfer a...
75. In rule 31.18(3), for “the district judge, or by the...
76. In rule 32.1— (a) in paragraph (3)—
77. In rule 32.2— (a) after the definition of “the clerk...
78. In the heading to Section 2 of Chapter 2 of...
79. In rule 32.5— (a) in the heading, after “order” insert...
80. After rule 32.5, insert— Cancellation of registration of a High...
81. In rule 32.6— (a) in the heading, for “county court”...
82. After rule 32.6, insert— Variation of a family court order:...
83. In rule 32.7— (a) after “prescribed officer” insert “in the...
84. For rule 32.8, substitute— Application to adduce evidence: sections 21(2)...
85. In rule 32.9— (a) in paragraph (1)(a)—
86. After rule 32.9, insert— Variation of Scottish and Northern Irish...
87. In rule 32.10— (a) in paragraph (1)—
88. After rule 32.10, insert— Payments under a maintenance order registered...
89. In rule 32.11(1)— (a) for “The Part 18 procedure” substitute...
90. In rule 32.12— (a) in paragraph (a), for “a maintenance...
91. After rule 32.12, insert— Notices and certificates: section 19(4), 20(1)...
92. In rule 32.15— (a) in the heading, for “a magistrates’...
93. After rule 32.15, insert— Application for registration of a maintenance...
94. In rule 32.16— (a) in the heading—
95. After rule 32.16, insert— Registration in the family court of...
96. Omit rules 32.17 and 32.18.
97. In rule 32.19— (a) in the heading, for “a magistrates’...
98. After rule 32.19, insert— Variation, remission, discharge or cancellation of...
99. Omit rules 32.20 and 32.21.
100. In rule 32.22— (a) in the heading and in paragraph...
101. After rule 32.22, insert— Notices: payments made through the family...
102. In rule 32.25— (a) in the heading and in paragraph...
103. In the heading to rule 32.27, for “a county court”...
104. After rule 32.32, insert— Chapter 5 Ability of a court...
105. In rule 34.1(4), for “Part 1” substitute “Parts 1 and...
106. In rule 34.2— (a) in the heading, for “a magistrates’...
107. In rule 34.3— (a) in the heading, for “magistrates’ courts...
108. In rule 34.6— (a) for “a magistrates’ court” substitute “the...
109. In rule 34.7— (a) in the heading, for “Enforcement” substitute...
110. In rule 34.8(1), for “a magistrates’ court” substitute “the family...
111. In rule 34.13, after paragraph (2) insert—
112. In rule 34.15, for the words from “as the case...
113. In rule 34.16— (a) in paragraph (1), after “country” insert...
114. In rule 34.17, in the heading, in paragraph (1)(a) and...
115. In the heading to rule 34.18, for “a county court”...
116. In rule 34.19— (a) in the heading—
117. In rule 34.20, for paragraphs (3) to (5) substitute—
118. In rule 34.21(1), for “a magistrates’ court” substitute “the family...
119. In rule 34.23— (a) in paragraph (1)—
120. In rule 34.24(1), omit “officer”.
121. In rule 34.26, to the extent that it remains in...
122. In rule 34.27— (a) in paragraph (4)—

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123. In rule 34.28— (a) in paragraph (4)—
124. After rule 34.28, insert— SECTION3 Proceedings in a Hague Convention...
125. Omit the words in parentheses at the end of rule...
126. Omit rule 34.29A.
127. In rule 34.30— (a) omit paragraph (1);
128. In rule 34.31, for paragraph (2) substitute—
129. In rule 34.32— (a) in paragraph (1)—
130. In rule 34.33(1) for “court officer for a magistrates’ court”...
131. For rule 34.35 substitute— Registered order: payer residing in a...
132. In rule 34.36, for paragraph (1) substitute—
133. After rule 34.36B, insert— The Maintenance Regulation: applications for enforcement...
134. In rule 34.38, in paragraphs (3) and (7) for “a...
135. In rule 34.39— (a) in the heading and in paragraph...
136. In rule 34.40— (a) in the heading, for “county court”...
137. Transitional and saving provision
Signature
Explanatory Note