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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules amend the Family Procedure Rules 2010 (S.I. 2010/2955) (“the FPR 2010”). The amendments made to the FPR 2010 by rules 3 to 44 of these Rules are made to reflect the creation of the family court, to insert a new Part 37, and to make some adjustments to the appeals rules in Part 30.

Provision in respect of the family court is made in section 17 of, and Schedules 10 and 11 to, the Crime and Courts Act 2013 (c.22). The family court, and the High Court, have jurisdiction to deal with family proceedings. The jurisdiction formerly exercised by magistrates’ courts and county courts in relation to family proceedings, and enforcement of orders made in family proceedings, held by magistrates’ courts and county courts, is removed by provision in the Crime and Courts Act 2013.

In particular, these Rules amend the following Parts of the FPR 2010 to reflect the coming into force of the family court—

- Part 2 (Application and interpretation);
- Part 9 (Applications for a financial remedy);
- Part 10 (Applications under Part 4 of the Family Law Act 1996);
- Part 11 (Applications under Part 4A of the Family Law Act 1996);
- Part 23 (Miscellaneous rules about evidence);
- Part 25 (Experts and assessors);
- Part 27 (Hearings and directions appointments);
- Part 29 (Miscellaneous);
- Part 30 (Appeals);
- Part 32 (Registration and enforcement of orders);
- Part 33 (Enforcement).

In addition, these Rules insert into the FPR 2010 a new Part 37 to make freestanding provision in the FPR 2010 in relation to applications and proceedings in relation to contempt of court.

These Rules also introduce a requirement to obtain permission to appeal from the decision of a District Judge (Magistrates’ Courts) and new time limits for filing an appellant’s notice and a respondent’s notice where there is an appeal or application for permission to appeal against a case management decision.

Transitional and saving provision is made in rule 45.

An impact assessment covering instruments being made to support the establishment of the family court accompanies the Explanatory Memorandum (which is available alongside this instrument at [www.legislation.gov.uk](http://www.legislation.gov.uk)).