
STATUTORY INSTRUMENTS

2023 No. 1324

The Family Procedure (Amendment No. 2) Rules 2023

- 14.** In rule 3.10 (MIAM exemption not validly claimed)—
- (a) in the heading after “**claimed**” insert “**or no longer applicable**”;
 - (b) for paragraph (1) substitute—
 - “(1) If a MIAM exemption has been claimed, the court will inquire into whether the exemption—
 - (a) was not validly claimed; or
 - (b) was validly claimed but is no longer applicable.
 - (1A) The inquiry referred to in paragraph (1) must be made—
 - (a) when making the decision on allocation, in private law proceedings to which the MIAM requirement applies; or
 - (b) when making a decision on allocation (if such a decision is made), and in any event at the first hearing, in proceedings for a financial remedy to which the MIAM requirement applies.”;
 - (c) in paragraph (2) after “claimed” insert “, or that it was validly claimed but is no longer applicable”; and
 - (d) in paragraph (3)—
 - (i) after sub-paragraph (b) insert—
 - “(ba) the reasons why a MIAM exemption which was validly claimed is no longer applicable.”;
 - (ii) at the end of sub-paragraph (c) omit “and”; and
 - (iii) after sub-paragraph (c) insert—
 - “(ca) the potential benefits of attending a MIAM, including the opportunity to receive information about options for non-court dispute resolution; and”.