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Rule 2.46(1)

## FORM 22

Form of petition for parental order under section 30 of the Human Fertilisation and Embryology Act 1990

SHERIFFDOM OF (insert name of sheriffdom)
AT (insert place of sheriff court)
PETITION
of
[A.B.](designation and address)
and
[C.D.](designation and address)
[or serial number where one has been assigned]
Petitioners
for
A parental order under section 30 of the Human Fertilisation and Embryology Act 1990
in respect of
[E.F.](nameas in birth certificate)
The petitioners condescend as follows—

- •
- **1.** The petitioners are married to each other, are domiciled in Scotland and reside at (*state full address*).
  - **2.** The petitioners are respectively and years of age.

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- **3.** (*State name of child, the subject of the petition*) is male [or female] and is months old having been born on at.
  - **4.** The child was received into the home of the petitioners on
- **5.** The child was carried by a woman other than the female petitioner as the result of the placing in her of an embryo [or the placing in her of sperm and eggs][or her artificial insemination].
- **6.** The gametes of (*state which petitioner or if both state both petitioners*) were used to bring about the creation of the embryo of the child.
- 7. The child is not the subject of any other pending or completed court proceedings (*if the child is so subject give full details*).
- **8.** (State full name and address of the father of the child), who is not the male petitioner, is the father of the child by virtue of section 28 of the Human Fertilisation and Embryology Act 1990 [or otherwise] and has freely and with full understanding of what is involved, agreed unconditionally to the making of the order sought.]
- **9.]** (State full name and address of the woman who carried the child), is the woman who carried the child and has freely and with full understanding of what is involved, agreed unconditionally to the making of the order sought.]
- **10.**] No money or benefit, other than for expenses reasonably incurred, has been given or received by the petitioners for or in consideration of
  - (a) the making of the order sought;
  - (b) any agreement required for the making of the order sought;
  - (c) the handing over of the child to the petitioners, or
  - (d) the making of any arrangements with a view to the making of the order,

[other than (state any money or other benefit given or received by authority of the court and specify such authority)].

11.] The father of the child [and][or][the woman who carried the child] cannot be found (state the efforts which have been made to find the person(s) concerned) [or is [or are] incapable of giving agreement by reason of (state reasons)].]

The petitioner crave the court –

- 1. To order notice of the petition to be intimated to such person or persons as the court thinks fit.
- 2. To appoint a reporting officer and a curatorad litem to the child and direct them to report.
- **3.** To dispense with the agreement of the father of the child [and] [or] [the woman who carried the child] who cannot be found [or who is [or are] incapable of giving agreement].]
- **4.]** On resuming consideration of this petition and the report by the reporting officer and the curator*ad litem*, to make a parental order in their favour under section 30 of the Human Fertilisation and Embryology Act 1990 in respect of the child.
- **5.]** To direct the Registrar General for Scotland to make an entry regarding the parental order in the Parental Order Register in the form prescribed by him giving as the fore-name(s) and as the surname of the child; and upon proof to the satisfaction of the court in the course of the proceedings to follow hereon, to find that the child was born on the day of in the year and is identical with the child to whom an entry numbered and made on the day of in the year, in the register of births for the registration district of relates; and to direct the Registrar General for Scotland to cause such birth

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entry to be marked with the words "Parental Order" and to include the above mentioned date of birth in the entry recording the parental order in the manner indicated in that form.

**6.]** To pronounce such other or further orders or directions upon such matters, including the expenses of this petition, as the court thinks fit.

(Signed)		
Male petitioner (Signed)		
Female petitioner		
[or (Signed)		
Solicitor for petitioners (Address)		

## **Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Act of Sederunt (Child Care and Maintenance Rules) 1997. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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## 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):

- Pt. 7 heading substituted by S.S.I. 2013/172 para. 3(30)
- Pt. 8 substituted by S.S.I. 2013/172 para. 3(41)
- Pt. 8A inserted by S.S.I. 2013/172 para. 3(48)
- Pt. 8B inserted by S.S.I. 2015/424 para. 3(7)
- Pt. 9 heading substituted by S.S.I. 2013/172 para. 3(49)
- Pt. 10 heading substituted by S.S.I. 2013/172 para. 3(53)
- Pt. 10A inserted by S.S.I. 2013/172 para. 3(57)
- Pt. 11 inserted by S.S.I. 2005/190 rule 2(3)
- Pt. 11A inserted by S.S.I. 2013/172 para. 3(62)
- Chapter 2Pt. 6 substituted by S.S.I. 2010/137 para. 2(2)
- Ch. 1rule 1.06 inserted by S.S.I. 2012/271 para. 4(2)
- Ch. 2Pt. 4A inserted by S.S.I. 2003/44 rule 6
- Ch. 2 Pt. 2-5 revoked (with transitional provisions and savings) by S.S.I. 2009/284 para. 4(1)(b)(2)-(6)
- Ch. 3 heading substituted by S.S.I. 2015/424 para. 3(9)
- Ch. 3 title words substituted by S.S.I. 2013/172 para. 3(2)
- Ch. 5 Pt. 78 inserted by S.S.I. 2011/386 para. 9(8)
- Ch. 5Pt. 9 inserted by S.S.I. 2014/201 rule 4(5)
- Sch. 1 Form 43 Sch. 1 Form 42 renumbered as Sch. 1 Form 43 by S.S.I. 2013/172 para. 4(18)(a)
- Sch. 1 Form 42 Sch. 1 Form 43 renumbered as Sch. 1 Form 42 by S.S.I. 2013/172 para. 4(19)(a)
- Sch. 1 Form 11A inserted by S.S.I. 2003/44 Sch.
- Sch. 1 para. 1-n inserted by S.S.I. 2006/411 para. 2(8)(a)(iii)
- Sch. 1 Form 76A76B inserted by S.S.I. 2006/75 rule 2(6)(a)Sch.
- Sch. 1 Form 73A inserted by S.S.I. 2011/386 Sch. Pt. 2
- Sch. 1 Form 73B inserted by S.S.I. 2011/386 Sch. Pt. 2
- Sch. 1 Form 73C inserted by S.S.I. 2011/386 Sch. Pt. 2
- Sch. 1 Form 32A inserted by S.S.I. 2013/172 para. 4(8)Sch.
- Sch. 1 Form 65A-65E inserted by S.S.I. 2013/172 para. 4(38)Sch.
- Sch. 1 Form 73D inserted by S.S.I. 2014/201 rule 4(6)Sch.
- Sch. 1 Form 73E inserted by S.S.I. 2014/201 rule 4(6)Sch.
- Sch. 1 Form 73F inserted by S.S.I. 2014/201 rule 4(6)Sch.
- Sch. 1 Form 64C64D inserted by S.S.I. 2015/424 para. 3(10)(a)
- Sch. 1 Form 75–80 inserted by Pt. 11 (as inserted) by S.S.I. 2005/190 Sch.
- Sch. 1 para. i omitted by S.S.I. 2006/411 para. 2(8)(a)(ii)
- Sch. 1 Form 69 omitted by S.S.I. 2011/386 para. 9(9)(a)
- Sch. 1 Form 30 revoked by S.S.I. 2013/172 para. 4(44)(a)
- Sch. 1 Form 38 revoked by S.S.I. 2013/172 para. 4(44)(b)
- Sch. 1 Form 59 revoked by S.S.I. 2013/172 para. 4(44)(c)
- Sch. 1 para. h substituted by S.S.I. 2006/411 para. 2(8)(a)(i)
- Sch. 1 Form 22-25 substituted by S.S.I. 2010/137 para. 2(3)Sch.
- Sch. 1 Form 60 substituted by S.S.I. 2013/172 para. 4(35)(a)Sch. Sch. 1 Form 61 substituted by S.S.I. 2013/172 para. 4(35)(b)Sch.
- Sch. 1 Form 62 substituted by S.S.I. 2013/172 para. 4(35)(c)Sch. Sch. 1 Form 80 title substituted by S.S.I. 2013/172 para. 4(43)
- Sch. 1 Form 44A44B substituted for Form 44 by S.S.I. 2013/172 para. 4(20)Sch.

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Sch. 1 Form 3131A31B substituted for Sch. 1 Form 31 by S.S.I. 2013/172 para.
Sch. 1 Form 6363A substituted for Sch. 1 Form 63 by S.S.I. 2013/172 para. 4(35)
(d)Sch.
Sch. 1 Form 6464A64B substituted for Sch. 1 Form 64 by S.S.I. 2013/172 para.
4(36)Sch.
Sch. 1 Form 26 text amended by S.S.I. 2013/172 para. 4(2)
Sch. 1 Form 27 text amended by S.S.I. 2013/172 para. 4(3)
Sch. 1 Form 28 text amended by S.S.I. 2013/172 para. 4(4)
Sch. 1 Form 29 text amended by S.S.I. 2013/172 para. 4(5)
Sch. 1 Form 32 text amended by S.S.I. 2013/172 para. 4(7)
Sch. 1 Form 33 text amended by S.S.I. 2013/172 para. 4(9)
Sch. 1 Form 34 text amended by S.S.I. 2013/172 para. 4(10)
Sch. 1 Form 35 text amended by S.S.I. 2013/172 para. 4(11)
Sch. 1 Form 39 text amended by S.S.I. 2013/172 para. 4(14)
Sch. 1 Form 39A text amended by S.S.I. 2013/172 para. 4(15)Sch.
Sch. 1 Form 40 text amended by S.S.I. 2013/172 para. 4(16)
Sch. 1 Form 41 text amended by S.S.I. 2013/172 para. 4(17)
Sch. 1 Form 43 text amended by S.S.I. 2013/172 para. 4(18)(b)-(e)
Sch. 1 Form 42 text amended by S.S.I. 2013/172 para. 4(19)(b)-(e)
Sch. 1 Form 45 text amended by S.S.I. 2013/172 para. 4(21)
Sch. 1 Form 46 text amended by S.S.I. 2013/172 para. 4(22)
Sch. 1 Form 47 text amended by S.S.I. 2013/172 para. 4(23)
Sch. 1 Form 48 text amended by S.S.I. 2013/172 para. 4(24)
Sch. 1 Form 49 text amended by S.S.I. 2013/172 para. 4(25)
Sch. 1 Form 50 text amended by S.S.I. 2013/172 para. 4(26)
Sch. 1 Form 51 text amended by S.S.I. 2013/172 para. 4(27)
Sch. 1 Form 52 text amended by S.S.I. 2013/172 para. 4(28)
Sch. 1 Form 53 text amended by S.S.I. 2013/172 para. 4(29)
Sch. 1 Form 54 text amended by S.S.I. 2013/172 para. 4(30)
Sch. 1 Form 55 text amended by S.S.I. 2013/172 para. 4(31)
Sch. 1 Form 56 text amended by S.S.I. 2013/172 para. 4(32)
Sch. 1 Form 57 text amended by S.S.I. 2013/172 para. 4(33)
Sch. 1 Form 58 text amended by S.S.I. 2013/172 para. 4(34)
Sch. 1 Form 65 text amended by S.S.I. 2013/172 para. 4(37)
Sch. 1 Form 79 text amended by S.S.I. 2013/172 para. 4(42)(b)-(e)
Sch. 1 Form 75 word substituted by S.S.I. 2015/283 para. 4(2)
Sch. 1 Form 75 words inserted by S.S.I. 2015/424 para. 3(10)(b)
Sch. 1 Form 76A words inserted by S.S.I. 2015/424 para. 3(10)(c)
Sch. 1 Form 77 words inserted by S.S.I. 2015/424 para. 3(10)(d)
Sch. 1 Form 22 words inserted by S.S.I. 2019/147 para. 3(7)(a)(i)
Sch. 1 Form 22 words inserted by S.S.I. 2019/147 para. 3(7)(a)(ii)
Sch. 1 Form 22 words inserted by S.S.I. 2019/147 para. 3(7)(a)(iii)
Sch. 1 Form 22 words inserted by S.S.I. 2019/147 para. 3(7)(a)(iv)
Sch. 1 Form 23 words inserted by S.S.I. 2019/147 para. 3(7)(b)(i)
Sch. 1 Form 23 words inserted by S.S.I. 2019/147 para. 3(7)(b)(ii)
Sch. 1 Form 24 words inserted by S.S.I. 2019/147 para. 3(7)(c)(i)
Sch. 1 Form 24 words inserted by S.S.I. 2019/147 para. 3(7)(c)(ii)
Sch. 1 Form 24 words inserted by S.S.I. 2019/147 para. 3(7)(c)(iii)
Sch. 1 Form 24 words inserted by S.S.I. 2019/147 para. 3(7)(c)(iv)
Sch. 1 Form 70 words omitted by S.S.I. 2011/386 para. 9(9)(b)(ii)
Sch. 1 Form 70 words omitted by S.S.I. 2011/386 para. 9(9)(b)(iii)
Sch. 1 Form 71 words omitted by S.S.I. 2011/386 para. 9(9)(c)(i)
Sch. 1 Form 71 words omitted by S.S.I. 2011/386 para. 9(9)(c)(ii)
Sch. 1 Form 71 words omitted by S.S.I. 2011/386 para. 9(9)(c)(iii)
Sch. 1 Form 72 words omitted by S.S.I. 2011/386 para. 9(9)(d)
Sch. 1 Form 13 Heading words substituted by S.S.I. 2006/411 para. 2(8)(b)
Sch. 1 Form 14 Heading words substituted by S.S.I. 2006/411 para. 2(8)(b)
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Sch. 1 Form 70 words substituted by S.S.I. 2011/386 para. 9(9)(b)(i)
Sch. 1 Form 70 words substituted by S.S.I. 2011/386 para. 9(9)(b)(iv)
Sch. 1 Form 71 words substituted by S.S.I. 2011/386 para. 9(9)(c)(iv)
Sch. 1 Form 73 words substituted by S.S.I. 2011/386 para. 9(9)(e)
Sch. 1 Form 22 words substituted by S.S.I. 2012/188 para. 13(2)
Sch. 1 Form 56 words substituted by S.S.I. 2013/135 para. 5(2)
Sch. 1 Form 36 words substituted by S.S.I. 2013/172 para. 4(12)
Sch. 1 Form 37 words substituted by S.S.I. 2013/172 para. 4(13)
Sch. 1 Form 75 words substituted by S.S.I. 2013/172 para. 4(39)
Sch. 1 Form 76A words substituted by S.S.I. 2013/172 para. 4(40)
Sch. 1 Form 77 words substituted by S.S.I. 2013/172 para. 4(41)
Sch. 1 Form 79 words substituted by S.S.I. 2013/172 para. 4(42)(a)
rule 3.69A-3.69C inserted by S.S.I. 2006/75 rule 2(3)
rule 5.22A-5.22B inserted by S.S.I. 2009/29 para. 2(7)
rule 5.17A inserted by S.S.I. 2009/29 para. 2(5)
rule 3.05A inserted by S.S.I. 2013/172 para. 3(8)
rule 3.46A inserted by S.S.I. 2013/172 para. 3(34)
rule 3.61A inserted by S.S.I. 2013/172 para. 3(52)
rule 3.81A inserted by S.S.I. 2013/172 para. 3(66)
rule 3.61A omitted by S.S.I. 2015/419 para. 8(4)(c)
rule 5.16A cross-heading words omitted by S.S.I. 2009/29 para. 2(3)
rule 5.16A(1) words omitted by S.S.I. 2009/29 para. 2(4)
rule 3.69B(1) words omitted by S.S.I. 2013/172 para. 3(63)(b)
rule 1.5 inserted by S.S.I. 2007/468 rule 2(2)
rule 1.02 words substituted by S.S.I. 2013/172 para. 2(2)
rule 1.6(3)(a) word substituted by S.S.I. 2015/419 para. 8(2)(a)
rule 1.6(3)(b) words substituted by S.S.I. 2015/419 para. 8(2)(b)
rule 2.60 substituted by S.S.I. 2015/419 para. 8(3)
rule 2.52(1) words inserted by S.S.I. 2019/147 para. 3(5)
rule 2.51(1)(c) words inserted by S.S.I. 2019/147 para. 3(4)(a)(i)
rule 2.51(1)(d) words substituted by S.S.I. 2019/147 para. 3(4)(a)(ii)
rule 2.26(1A) inserted by S.S.I. 2006/411 para. 2(6)
rule 2.52(2)(a) words substituted by S.S.I. 2010/279 para. 7(4)
rule 2.51(2)(d) words inserted by S.S.I. 2019/147 para. 3(4)(b)
rule 2.21(2)(fa)-(fd) inserted by S.S.I. 2006/411 para. 2(3)(a)(ii)
rule 2.21(3)(r)-(t) substituted for rule 2.21(3)(r) by S.S.I. 2006/411 para. 2(3)(c)
rule 2.21(3A) inserted by S.S.I. 2006/411 para. 2(3)(d)
rule 2.49(4) words inserted by S.S.I. 2019/147 para. 3(3)
rule 2.51(5)(b) words inserted by S.S.I. 2019/147 para. 3(4)(c)
rule 2.21(6) inserted by S.S.I. 2006/411 para. 2(3)(e)
rule 3.02 substituted by S.S.I. 2013/172 para. 3(4)
rule 3.05 heading substituted by S.S.I. 2013/172 para. 3(7)(d)
rule 3.09 heading substituted by S.S.I. 2013/172 para. 3(12)
rule 3.66 substituted by S.S.I. 2015/424 para. 3(8)
rule 3.033.03A substituted for rule 3.3 by S.S.I. 2013/172 para. 3(5)
rule 3.73 word inserted by S.S.I. 2006/75 rule 2(5)
rule 3.74 word inserted by S.S.I. 2006/75 rule 2(5)
rule 3.65 words inserted by S.S.I. 2006/75 rule 2(2)
rule 3.65 words omitted by S.S.I. 2013/172 para. 3(58)
rule 3.66 words omitted by S.S.I. 2015/419 para. 8(4)(d)
rule 3.06 words substituted by S.S.I. 2013/172 para. 3(9)(a)
rule 3.06 words substituted by S.S.I. 2013/172 para. 3(9)(b)
rule 3.66 words substituted by S.S.I. 2013/172 para. 3(59)
rule 3.75 heading words substituted by S.S.I. 2013/172 para. 3(60)(c)
rule 3.76 heading words substituted by S.S.I. 2013/172 para. 3(61)(c)
rule 3.32(b)(c) substituted for rule 3.32(b) by S.S.I. 2013/172 para. 3(25)
rule 3.08(f) inserted by S.S.I. 2013/172 para. 3(10)(b)
rule 3.47(A1) inserted by S.S.I. 2013/172 para. 3(35)(a)
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rule 3.59(A1) inserted by S.S.I. 2013/172 para. 3(50)(a)
rule 3.57(1) rule 3.57 renumbered as rule 3.57(1) by S.S.I. 2013/172 para. 3(46)(b)
rule 3.45(1)-(1C) substituted for rule 3.45(1) by S.S.I. 2013/172 para. 3(32)(a)
rule 3.53(1)-(1B) substituted for rule 3.53(1) by S.S.I. 2013/172 para. 3(42)(a)
rule 3.55(1)(1A) substituted for rule 3.55(1) by S.S.I. 2013/172 para. 3(44)
rule 3.75(1) word inserted by S.S.I. 2006/75 rule 2(5)
rule 3.01(1) words inserted by S.S.I. 2013/172 para. 3(3)(a)(i)
rule 3.01(1) words omitted by S.S.I. 2013/172 para. 3(3)(a)(ii)
rule 3.68(1) words omitted by S.S.I. 2013/172 para. 3(63)(a)
rule 3.71(1) words omitted by S.S.I. 2013/172 para. 3(63)(c)
rule 3.78(1) words omitted by S.S.I. 2013/172 para. 3(63)(d)
rule 3.05(1) words substituted by S.S.I. 2013/172 para. 3(7)(a)(i)
rule 3.07(1) words substituted by S.S.I. 2013/172 para. 3(10)(a)
rule 3.75(1) words substituted by S.S.I. 2013/172 para. 3(60)(a)
rule 3.76(1) words substituted by S.S.I. 2013/172 para. 3(61)(a)
rule 3.78(1) words substituted by S.S.I. 2013/172 para. 3(64)
rule 3.79(1)(a) substituted by S.S.I. 2013/172 para. 3(65)(a)
rule 3.05(1)(b) substituted by S.S.I. 2013/172 para. 3(7)(a)(ii)
rule 3.04(1)(b) word substituted by S.S.I. 2013/172 para. 3(6)(a)
rule 3.04(1)(e) omitted by S.S.I. 2013/172 para. 3(6)(b)
rule 3.54(1)(f) inserted by S.S.I. 2013/172 para. 3(43)(a)(iv)
rule 3.12(1)(f)(g) substituted for rule 3.12(1)(f) by S.S.I. 2013/172 para. 3(15)(a)(ii)
rule 3.04(1)(f)-(h) substituted for rule 3.4(1)(f) by S.S.I. 2013/172 para. 3(6)(c)
rule 3.57(2) inserted by S.S.I. 2013/172 para. 3(46)(c)
rule 3.07(2) substituted by S.S.I. 2013/172 para. 3(10)(b)
rule 3.01(2)-(4) substituted for rule 3.1(2) by S.S.I. 2013/172 para. 3(3)(b)
rule 3.72(2) word substituted by S.S.I. 2006/75 rule 2(4)
rule 3.75(2) words substituted by S.S.I. 2013/172 para. 3(60)(b)
rule 3.76(2) words substituted by S.S.I. 2013/172 para. 3(61)(b)
rule 3.59(2)(a)-(e) substituted for rule 3.59(2)(a)-(c) by S.S.I. 2013/172 para. 3(50)
rule 3.05(2)(c) word omitted by S.S.I. 2013/172 para. 3(7)(b)(ii)
rule 3.05(2)(c) words omitted by S.S.I. 2013/172 para. 3(7)(b)(i)
rule 3.51(2)(e) and word inserted by S.S.I. 2013/172 para. 3(39)(b)
rule 3.13(2)(aa) inserted by S.S.I. 2015/424 para. 3(6)
rule 3.05(2)(ca) inserted by S.S.I. 2013/172 para. 3(7)(c)
rule 3.45(3)-(9) inserted by S.S.I. 2013/172 para. 3(32)(c)
rule 3.2(3) inserted by S.S.I. 2015/424 para. 3(3)
rule 3.63(3)(4) substituted for rule 3.63(3) by S.S.I. 2013/172 para. 3(55)(c)
rule 3.1(3) words substituted by S.S.I. 2015/424 para. 3(2)(c)
rule 3.53(4)-(6) inserted by S.S.I. 2013/172 para. 3(42)(c)
rule 3.47(4)(4A) substituted for rule 3.47(4) by S.S.I. 2013/172 para. 3(35)(e)
rule 3.58(5) inserted by S.S.I. 2013/172 para. 3(47)(d)
rule 3.3A(1) substituted by S.S.I. 2015/424 para. 3(4)
rule 5.2(6)(7) inserted by S.S.I. 2011/386 para. 9(3)
rule 5.2(8) inserted by S.S.I. 2014/201 rule 4(3)
Form 65A words substituted by S.S.I. 2014/201 rule 5(3)
Form 77para. 6 substituted by S.S.I. 2006/75 rule 2(6)(b)(ii)
Form 77para. 3 word substituted by S.S.I. 2006/75 rule 2(6)(b)(i)
Form 78 word substituted by S.S.I. 2006/75 rule 2(6)(c)
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