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STATUTORY INSTRUMENTS

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**2009 No. 638 (L. 7)**

**FAMILY PROCEEDINGS,  
ENGLAND AND WALES**

**The Family Procedure (Adoption) (Amendment) Rules 2009**

<i>Made</i>	- - - -	<i>10th March 2009</i>
<i>Laid before Parliament</i>		<i>12th March 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</i>

The Family Procedure Rule Committee makes the following Rules in exercise of the powers conferred by section 75(2) and (4) of the Courts Act 2003<sup>(1)</sup>.

In accordance with section 79(1) of the Courts Act 2003 the Committee has consulted with persons it considered appropriate.

**Citation and commencement**

**1.** These Rules may be cited as the Family Procedure (Adoption) (Amendment) Rules 2009 and shall come into force on 6<sup>th</sup> April 2009.

**Amendment to the Family Procedure (Adoption) Rules 2005**

**2.** In rule 95(3) of the Family Procedure (Adoption) Rules 2005<sup>(2)</sup> for “This rule” substitute “Paragraph (2) of this rule ”

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(1) [2003 c.39](#). Section 75 was amended by sections 15(1) and 146 of, and paragraphs 308 and 338 of Schedule 4 to, and Part 2 of Schedule 18 to, the Constitutional Reform Act 2005 (c.4).

(2) [SI 2005/2795](#). The relevant amending instrument is [S.I.2008/2447](#).

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I allow these Rules

10th March 2009

*Bridget Prentice*  
Parliamentary Under Secretary of State  
Ministry of Justice

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## **EXPLANATORY NOTE**

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

These Rules amend the Family Procedure (Adoption) Rules 2005 by amending paragraph (3) of rule 95 (Power of the court to proceed in the absence of a party) to provide that it is only paragraph (2) of the rule which does not apply to magistrates' courts.