
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 11

**APPLICATIONS UNDER PART 4A OF THE FAMILY
LAW ACT 1996 [F1OR PART 1 OF SCHEDULE 2 TO
THE FEMALE GENITAL MUTILATION ACT 2003]**

Parties

11.6.—[F1(A1) Where the person who is the subject of proceedings is not the applicant and is a child, the court must consider, at every stage in the proceedings, whether to make that child a party to proceedings.

(For when a child should be made a party to proceedings generally see paragraph 7 of Practice Direction 16A.)]

(1) In proceedings under this Part, a person may file a Part 18 application notice for that person or another person to—

- (a) be joined as a party; or
- (b) cease to be a party.

(2) As soon as practicable after receiving an application under paragraph (1), the court must do one of the following—

- (a) in the case only of an application under paragraph (1)(a), grant the application;
- (b) order that the application be considered at a hearing, and fix a date for the hearing; or
- (c) invite written representations as to whether the application should be granted, to be filed within a specified period, and upon expiry of that period act under sub-paragraph (a) or (b) as it sees fit.

(3) The court officer must inform the following persons of the court's action under paragraph (2)

- (a) the applicant under paragraph (1);
- (b) (if different) the applicant for the F2... protection order and the respondent to that application;
- (c) (if different) the person who is the subject of the proceedings; and
- (d) any other person directed by the court.

(4) The court may at any time direct—

- (a) that a person who would not otherwise be a respondent under these rules be joined as a party to the proceedings; or
- (b) that a party to the proceedings cease to be a party,

and such a direction may be made by the court of its own initiative as well as upon an application under paragraph (1).

(5) Where the court directs the addition or removal of a party, it may give consequential directions about—

- (a) service on a new party of a copy of the application for the ^{F3}... protection order and other relevant documents; and
- (b) the management of the proceedings.

Textual Amendments

- F1** Rule 11.6(A1) inserted (17.7.2015) by The Family Procedure (Amendment No. 2) Rules 2015 (S.I. 2015/1420), rules 1(2), **9(a)**
- F2** Words in rule 11.6(3)(b) omitted (17.7.2015) by virtue of The Family Procedure (Amendment No. 2) Rules 2015 (S.I. 2015/1420), rules 1(2), **9(b)**
- F3** Words in rule 11.6(5)(a) omitted (17.7.2015) by virtue of The Family Procedure (Amendment No. 2) Rules 2015 (S.I. 2015/1420), rules 1(2), **9(c)**

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 11.