
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 9

APPLICATIONS FOR A FINANCIAL REMEDY

CHAPTER 6

GENERAL PROCEDURE

Applications for consent orders for financial remedy

9.26.—(1) Subject to paragraph (5) and to rule 35.2, in relation to an application for a consent order—

- (a) the applicant must file two copies of a draft of the order in the terms sought, one of which must be endorsed with a statement signed by the respondent to the application signifying agreement; and
- (b) each party must file with the court and serve on the other party, a statement of information in the form referred to in Practice Direction 5A.

(2) Where each party's statement of information is contained in one form, it must be signed by both the applicant and respondent to certify that they have read the contents of the other party's statement.

(3) Where each party's statement of information is in a separate form, the form of each party must be signed by the other party to certify that they have read the contents of the statement contained in that form.

(4) Unless the court directs otherwise, the applicant and the respondent need not attend the hearing of an application for a consent order.

(5) Where all or any of the parties attend the hearing of an application for a financial remedy the court may—

- (a) dispense with the filing of a statement of information; and
- (b) give directions for the information which would otherwise be required to be given in such a statement in such a manner as it thinks fit.

(6) In relation to an application for a consent order under Part 3 of the 1984 Act or Schedule 7 to the 2004 Act, the application for permission to make the application may be heard at the same time as the application for a financial remedy if evidence of the respondent's consent to the order is filed with the application. (The following rules contain provision in relation to applications for consent orders - rule 9.32 (pension sharing order), rule 9.34 (pension attachment order), rule 9.41 (pension compensation sharing orders) and rule 9.43 (pension compensation attachment orders).)

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 9.