
STATUTORY INSTRUMENTS

1991 No. 1247

The Family Proceedings Rules 1991

PART IV

PROCEEDINGS UNDER THE CHILDREN ACT 1989

Interpretation and application

- 4.1.**—(1) In this Part of these rules, unless a contrary intention appears—
- a section or schedule referred to means the section or schedule so numbered in the Act of 1989;
 - “a section 8 order” has the meaning assigned to it by section 8(2);
 - “application” means an application made under or by virtue of the Act of 1989 or under these rules, and “applicant” shall be construed accordingly;
 - “child”, in relation to proceedings to which this Part applies—
 - (a) means, subject to sub-paragraph (b), a person under the age of 18 with respect to whom the proceedings are brought, and
 - (b) where the proceedings are under Schedule 1, also includes a person who has reached the age of 18;
 - “directions appointment” means a hearing for directions under rule 4.14(2);
 - “emergency protection order” means an order under section 44;
 - “guardian ad litem” means a guardian ad litem, appointed under section 41, of the child with respect to whom the proceedings are brought;
 - “leave” includes permission and approval;
 - “note” includes a record made by mechanical means;
 - “parental responsibility” has the meaning assigned to it by section 3;
 - “recovery order” means an order under section 50;
 - “specified proceedings” has the meaning assigned to it by section 41(6) and rule 4.2(2); and
 - “welfare officer” means a person who has been asked to prepare a welfare report under section 7.

(2) Except where the contrary intention appears, the provisions of this Part apply to proceedings in the High Court and the county courts—

- (a) on an application for a section 8 order;
- (b) on an application for a care order or a supervision order;
- (c) on an application under section 4(1)(a), 4(3), 5(1), 6(7), 13(1), 16(6), 33(7), 34(2), 34(3), 34(4), 34(9), 36(1), 38(8)(b), 39(1), 39(2), 39(3), 39(4), 43(1), 43(12), 44, 45, 46(7), 48(9), or 50(1);
- (d) under Schedule 1, except where financial relief is also sought by or on behalf of an adult,
- (e) on an application under paragraph 19(1) of Schedule 2;

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- (f) on an application under paragraph 6(3), 15(2) or 17(1) of Schedule 3;
- (g) on an application under paragraph 11(3) or 16(5) of Schedule 14; or
- (h) under section 25.