

APPENDIX 3

Rules 4.4 and 4.7

NOTICES AND RESPONDENTS

(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.4(1)(b)	(iii) Persons to whom notice is to be given	(iv) Respondents
All applications	See separate entries below.	Subject to separate entries below— local authority providing accomodation for the child; in the case of proceedings brought in respect of a child who is alleged to be staying in a refuge which is certificated under section 51(1) or (2), the person who is providing the refuge.	Subject to separate entries below— persons who are caring for the child at the time when the proceedings are commenced; every person whom the applicant believes to have parental responsibility for the child; where the child is the subject of a care order, every person whom the applicant believes to have had parental responsibility immediately prior to the making of the care order; in the case of an application to extend, vary or discharge an order, the parties to the proceedings leading to the order which it is sought to have extended, varied or discharged;
Section 8.	21 days.	As for “all applications” above, and:	As for “all applications” above.

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.4(1)(b)	(iii) Persons to whom notice is to be given	(iv) Respondents
Section 4(1)(a), 4(3), 5(1), 6(7), 13(1), 16(6), 33(7), Schedule 1, paragraph 19(1) of Schedule 2, or paragraph 11(3) or 16(5) of Schedule 14.	14 days.	<p>in the case of an application for a section 8 order, every person whom the applicant believes—</p> <ul style="list-style-type: none"> (i) to be named in a court order with respect to the same child, which has not ceased to have effect. (ii) to be a party to pending proceedings in respect of the same child, or (iii) to be a person with whom the child has lived for at least 3 years prior to the application, <p>unless, in a case to which (i) or (ii) applies, the applicant believes that the court order or pending proceedings are not relevant to the application.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application under paragraph 19(1) of Schedule 2, the parties to the proceedings leading to the care order;</p> <p>in the case of an application under</p>	<p>As for all applications above, and:</p> <p>in the case of proceedings under Schedule 1, those persons whom the applicant believes to be interested in or affected by the proceedings;</p> <p>in the case of an application under</p>

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.4(1)(b)	(iii) Persons to whom notice is to be given	(iv) Respondents
Section 36(1), 39(1), 39(2), 39(3), 39(4), 43(1), or paragraph 6(3), 15(2) or 17(1) of Schedule 3.	7 days.	<p>section 5(1), the father of the child if he does not have parental responsibility.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application for an order under section 43(1)—</p> <ul style="list-style-type: none"> (i) every person whom the applicant believes to be a parent of the child. (ii) every person whom the applicant believes to be caring for the child, (iii) every person in whose favour a contact order is in force with respect to the child, and (iv) every person who is allowed to have contact with the child by virtue of an order under section 34. 	<p>paragraph 11(3)(b) or 16(5) of Schedule 14, any person, other than the child, named in the order or directions which it is sought to discharge or vary.</p> <p>As for “all applications” above, and:</p> <p>in the case of an application under section 39(2) or (3), the supervisor;</p> <p>in the case of proceedings under paragraph 17(1) of Schedule 3, the local education authority concerned;</p> <p>in the case of proceedings under section 36 or paragraph 15(2) or 17(1) of Schedule 3, the child.</p>
Section 31, 34(2), 34(3), 34(4), 34(9) or 38(8)(b).	3 days.	As for “all applications” above, and:	<p>As for “all applications” above, and:</p> <p>in the case of an application under</p>

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.4(1)(b)	(iii) Persons to whom notice is to be given	(iv) Respondents
		<p>in the case of an application under section 31—</p> <p>(i) every person whom the applicant believes to be a party to pending relevant proceedings in respect of the same child, and</p> <p>(ii) every person whom the applicant believes to be a parent without parental responsibility for the child.</p>	<p>section 34, the person whose contact with the child is the subject of the application.</p>
Section 43(12).	2 days.	Those of the persons referred to in section 43(11)(a) to (e) who were not party to the application for the order which it is sought to have varied or discharged.	As for “all applications” above.
Section 25, 44(1), 44(9)(b), 45(4), 45(8), 46(7), 48(9) or 50(1).	1 day.	<p>As for “all applications” above, and:</p> <p>in the case of an application under section 44(1), every person whom the applicant believes to be a child;</p> <p>in the case of an application under section 44(9)(b)—</p> <p>(i) the local authority in whose area the</p>	<p>As for “all applications” above, and:</p> <p>in the case of an application under section 44(9)(b)</p> <p>(i) the parties to the application for the order in respect of which it is sought to vary the directions;</p> <p>(ii) any person who was caring for the child prior to</p>

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(i) Provision under which proceedings brought	(ii) Minimum number of days prior to hearing or directions appointment for service under rule 4.4(1)(b)	(iii) Persons to whom notice is to be given	(iv) Respondents
		(ii) child is living, and any person whom the applicant believes to be affected by the direction which it is sought to have varied.	the making of the order; and (iii) any person whose contact with the child is affected by the direction which it is sought to have varied; in the case of an application under section 50, the person whom the applicant alleges to have effected or to have been or to be responsible for the taking or keeping of the child.
