
EXPLANATORY NOTE

(This note is not part of the Rules)

Section 30 of the Human Fertilisation and Embryology Act 1990 confers power upon the court to make a parental order in respect of a child in favour of a married couple, at least one of whom is the genetic parent and where the child has been born as a result of a surrogacy arrangement satisfying certain conditions. These Rules amend the Family Proceedings Courts (Children Act 1989) Rules 1991 and prescribe the procedure to be followed in connection with an application for a parental order in the magistrates' court. They also prescribe the procedure for making an application under sections 27(1) (leave to apply for removal of a child from the home of a person with whom he lives), 29(1) (order for the return of a child who has been removed from the home of a person with whom he lives) and 29(2) (order directing a person not to remove the child from the home of a person with whom he lives) of the Adoption Act 1976 as applied with modifications by the Parental Orders (Human Fertilisation and Embryology) Regulations 1994.