
EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Proceedings Rules 1991 ([S.I.1991/1247](#)) (“the 1991 Rules”) to make changes linked to the amendments to the Children Act 1989 in respect of the definition of “harm”.

Where a section 8 order or an order for parental responsibility is sought, the applicant will give the court information where a child has suffered or is at risk of suffering harm.

Rules 3, 4 and 5 make an amendment to provide for the service of new Form C1(A) as part of the application filed under rule 4.4(1)(a) of the 1991 Rules. Rule 4 provides that the applicant’s Form C1A is to be filed with an application for a section 8 order or an order under section 4(1)(c) if question 7 on Form C1, or question 4 on Form C2, is completed in the affirmative. Rule 5 provides that a blank Form C1A should be given to the applicant with the copies of the application when the documents are filed, in order that it may be served on the respondent(s). Rule 3 provides that the applicant shall serve the blank copy of Form C1A on each respondent.

Rule 6 amends rule 4.9(1) of the 1991 Rules to provide that in applications for an order for parental responsibility or for a section 8 order, the respondent shall file and serve Form C1A in addition to the acknowledgement of application Form C7 if both parts of question 6 or question 7 (or both), on Form C7 are answered in the affirmative. Rule 7 makes a consequential amendment to rule 4.9(3) of the 1991 Rules.

Rule 8 amends the list of forms at the beginning of Appendix 1 to the 1991 Rules to provide for new Form C1A, substitutes Forms C1, C2, C7 and inserts new Form C1A into Appendix 1. Rule 8 also makes amendments to Forms C11, C12, C19, C25 and C28 which are consequential to the amendments made to the Children Act 1989 by paragraph 10 of Schedule 5 to the Nursing and Midwifery Order 2001 ([S.I. 2002/253](#)).