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STATUTORY INSTRUMENTS

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**2005 No. 559**

**The Family Proceedings (Amendment No. 3) Rules 2005**

**Amendments to the Family Proceedings Rules 1991**

**4. After rule 2.6, insert—**

**“Supplemental: petition for nullity on ground of issue of interim gender recognition certificate**

**2.6A.—**(1) This rule applies to a petition for nullity brought under section 12(g) of, or paragraph 11(1)(e) of Schedule 1 to, the Act of 1973<sup>(1)</sup>.

(2) The petitioner must file with his petition a copy of an interim gender recognition certificate issued to him or to the respondent (as the case might be), unless otherwise directed on an application made ex parte.

(3) The proper officer must give notice in writing to the Secretary of State of a petition to which this rule applies when it is presented under rule 2.6.

(4) A notice in writing under paragraph (3) must state the names of the parties to the petition, its case number and the court in which it is pending and must—

- (a) where a copy of an interim certificate has been filed under paragraph (2), be accompanied by a copy of it;
- (b) otherwise, state—
  - (i) the names of the parties to the marriage and the date and place of the marriage;
  - (ii) the last address at which the parties to the marriage have lived together as husband and wife; and
  - (iii) such further particulars as the proper officer considers appropriate.

**Supplemental: petition for nullity on ground that respondent’s gender had become acquired gender at time of marriage**

**2.6B.** Where a petition for nullity is brought under section 12(h) of the Act of 1973 and a full gender recognition certificate has been issued to the respondent, the petitioner must file a copy of that full certificate with his petition, unless otherwise directed on an application made ex parte.”

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(1) The reference is to the Matrimonial Causes Act 1973 (c. 18); section 12 as amended by the Mental Health Act 1983 (c. 20), Schedule 4, paragraph 34 and (on a date to be appointed) by the Gender Recognition Act 2004 (c. 7), Schedule 2, paragraph 2 and Schedule 4, paragraphs 4 and 5; paragraph 11 of Schedule 1 as amended (on a date to be appointed) by the Gender Recognition Act 2004 (c. 7), Schedule 2, paragraph 4.