

2007 No. 2268 (L.22)

FAMILY PROCEEDINGS

SUPREME COURT OF ENGLAND AND WALES

COUNTY COURTS, ENGLAND AND WALES

The Family Proceedings (Amendment) (No.3) Rules 2007

<i>Made</i> - - - -	<i>25th July 2007</i>
<i>Laid before Parliament</i>	<i>1st August 2007</i>
<i>Coming into force</i> - -	<i>1st October 2007</i>

The Family Proceedings Rule Committee makes the following Rules in exercise of the powers conferred by section 40(1) of the Matrimonial and Family Proceedings Act 1984(a):

Citation and commencement

1. These Rules may be cited as the Family Proceedings (Amendment) (No.3) Rules 2007 and shall come into force on 1st October 2007.

Amendments to the Family Proceedings Rules 1991

2. In the Arrangement of Rules of the Family Proceedings Rules 1991(b) (“the 1991 Rules”), in the entry for rule 7.39, omit “a specified State of”.

3.—(1) Rule 7.39 of the 1991 Rules shall be amended in accordance with this rule.

(2) For “a specified State” or “specified States”, wherever those words appear, substitute “the United States of America”.

(3) In the heading, omit “a specified State of”.

(4) Omit paragraph (1).

(5) In, paragraph (3), for “Schedule 3 to the Reciprocal Enforcement of Maintenance Orders (United States of America) Order 1995(c)”, substitute “Schedule 2 to the Reciprocal Enforcement of Maintenance Orders (United States of America) Order 2007(d)”.

(a) 1984 c.42; section 40 was amended by the Courts and Legal Services Act 1990 (c.41), Schedule 18, paragraph 50 and by the Constitutional Reform Act 2005 (c.4), Schedule 4, paragraphs 379 and 380 and will be repealed (on a date to be appointed) by the Courts Act 2003 (c.39), Schedule 8, paragraph 278, Schedule 10.

(b) S.I.1991/1247; relevant amending instrument is S.I.1996/816.

(c) S.I. 1995/2709; as amended by S.I. 2003/776.

(d) S.I. 2007/ 2005.

Transitional Provisions

4.—(1) The amendments in rules 2 and 3 shall have effect in relation to matters to which the Reciprocal Enforcement of Maintenance Orders (United States of America) Order 2007 (“the 2007 Order”)(a) applies as set out in article 6(1) of that Order.

(2) Where, by virtue of article 6(2) of the 2007 Order, the Reciprocal Enforcement of Maintenance Orders (United States of America) Order 1995 continues in full force and effect, rule 7.39 of the Family Proceedings Rules 1991 shall apply as if it had not been amended by these Rules.

*Duncan Adam
Bruce Edgington
Angela Finnerty
Jane Probyn
David Salter
Phillip Waller*

I allow these Rules

25th July 2007

Jack Straw,
Lord Chancellor

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules make minor amendments to the Family Proceedings Rules 1991 in consequence of the Reciprocal Enforcement of Maintenance Orders (United States of America) Order 2007.

Where proceedings have been commenced before the coming into force of that Order, transitional provisions apply so that the Family Proceedings Rules 1991 apply to any subsequent step taken in those proceedings as if they had not been amended.

(a) S.I. 2007/2005.

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