

**2009 No. 638 (L. 7)**

**FAMILY PROCEEDINGS, ENGLAND AND WALES**

**The Family Procedure (Adoption) (Amendment) Rules 2009**

*Made* - - - - *10th March 2009*

*Laid before Parliament* *12th March 2009*

*Coming into force* - - *6th April 2009*

The Family Procedure Rule Committee makes the following Rules in exercise of the powers conferred by section 75(2) and (4) of the Courts Act 2003(a).

In accordance with section 79(1) of the Courts Act 2003 the Committee has consulted with persons it considered appropriate.

**Citation and commencement**

1. These Rules may be cited as the Family Procedure (Adoption) (Amendment) Rules 2009 and shall come into force on 6<sup>th</sup> April 2009.

**Amendment to the Family Procedure (Adoption) Rules 2005**

2. In rule 95(3) of the Family Procedure (Adoption) Rules 2005(b) for “This rule” substitute “Paragraph (2) of this rule ”

*Mark Potter, P*  
*Duncan Adam*  
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*Paul Carr*  
*Martyn Cook*  
*Bruce Edgington*  
*Angela Finnerty*  
*Mike Hinchliffe*  
*Susan Jones*  
*Ruth Lindley-Glover*  
*David Salter*  
*Philip Waller*

I allow these Rules

10th March 2009

*Bridget Prentice*  
Parliamentary Under Secretary of State  
Ministry of Justice

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(a) 2003 c.39. Section 75 was amended by sections 15(1) and 146 of, and paragraphs 308 and 338 of Schedule 4 to, and Part 2 of Schedule 18 to, the Constitutional Reform Act 2005 (c.4).  
(b) SI 2005/2795. The relevant amending instrument is S.I.2008/2447.

## **EXPLANATORY NOTE**

*(This note is not part of the Rules)*

These Rules amend the Family Procedure (Adoption) Rules 2005 by amending paragraph (3) of rule 95 (Power of the court to proceed in the absence of a party) to provide that it is only paragraph (2) of the rule which does not apply to magistrates' courts.

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