

STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 12

[^{F1}CHILDREN PROCEEDINGS] EXCEPT PARENTAL ORDER
PROCEEDINGS AND PROCEEDINGS FOR APPLICATIONS
IN ADOPTION, PLACEMENT AND RELATED PROCEEDINGS

CHAPTER 6

PROCEEDINGS UNDER THE 1980 HAGUE CONVENTION, THE
EUROPEAN CONVENTION, ^{F1}... AND THE 1996 HAGUE CONVENTION

SECTION 2

Applications relating to ^{F1}... the 1996 Hague Convention

Transfer of proceedings under ^{F1}... Article 8 of the 1996 Hague Convention

12.61.—(1) Where the court is considering the transfer of proceedings to the court of another ^{F2}... Contracting State under rules 12.62 to 12.64 it will—

- (a) fix a date for a hearing for the court to consider the question of transfer; and
- (b) give directions as to the manner in which the parties may make representations.

(2) The court may, with the consent of all parties, deal with the question of transfer without a hearing.

(3) Directions which are in force immediately prior to the transfer of proceedings to a court in another ^{F3}... Contracting State under rules 12.62 to 12.64 will continue to apply until the court in that other State accepts jurisdiction in accordance with the provisions of ^{F4}... the 1996 Hague Convention ^{F5}..., subject to any variation or revocation of the directions.

(4) The court or court officer will—

- (a) take a note of the giving, variation or revocation of directions under this rule; and
- (b) as soon as practicable serve a copy of the directions order on every party.

(5) A register of all applications and requests for transfer of jurisdiction to or from another ^{F6}... Contracting State will be kept by the principal registry.

Textual Amendments

- F1** Words in rule 12.61 heading omitted (31.12.2020) by virtue of The Family Procedure Rules 2010 and Court of Protection Rules 2017 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/517), regs. 1(1), 9(10)(a) (with reg. 23) (as amended by S.I. 2020/1493, regs. 1(1), 8(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation: There are currently no known outstanding effects for the
The Family Procedure Rules 2010, Section 12. (See end of Document for details)

- F2** Words in rule 12.61(1) omitted (31.12.2020) by virtue of The Family Procedure Rules 2010 and Court of Protection Rules 2017 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/517), regs. 1(1), **9(10)(b)** (with reg. 23) (as amended by S.I. 2020/1493, regs. 1(1), 8(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in rule 12.61(3) omitted (31.12.2020) by virtue of The Family Procedure Rules 2010 and Court of Protection Rules 2017 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/517), regs. 1(1), **9(10)(c)(i)** (with reg. 23) (as amended by S.I. 2020/1493, regs. 1(1), 8(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in rule 12.61(3) omitted (31.12.2020) by virtue of The Family Procedure Rules 2010 and Court of Protection Rules 2017 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/517), regs. 1(1), **9(10)(c)(ii)** (with reg. 23) (as amended by S.I. 2020/1493, regs. 1(1), 8(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in rule 12.61(3) omitted (31.12.2020) by virtue of The Family Procedure Rules 2010 and Court of Protection Rules 2017 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/517), regs. 1(1), **9(10)(c)(iii)** (with reg. 23) (as amended by S.I. 2020/1493, regs. 1(1), 8(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in rule 12.61(5) omitted (31.12.2020) by virtue of The Family Procedure Rules 2010 and Court of Protection Rules 2017 (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/517), regs. 1(1), **9(10)(d)** (with reg. 23) (as amended by S.I. 2020/1493, regs. 1(1), 8(2)(b)); 2020 c. 1, Sch. 5 para. 1(1)

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 12.