
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 13

**PROCEEDINGS UNDER SECTION 54 OF THE HUMAN
FERTILISATION AND EMBRYOLOGY ACT 2008**

Application for recovery orders

13.17.—^{F1}(1) An application for any of the orders referred to in section 41(2) of the 2002 Act (recovery orders) may be made without notice, in which case the applicant must file the application—

- (a) where the application is made by telephone, the next business day after the making of the application; or
- (b) in any other case, at the time when the application is made.]

(2) Where the court refuses to make an order on an application without notice it may direct that the application is made on notice in which case the application shall proceed in accordance with rules 13.1 to 13.14.

(3) The respondents to an application under this rule are—

- (a) in a case where parental order proceedings are pending, all parties to those proceedings;
- (b) any person having parental responsibility for the child;
- (c) any person in whose favour there is provision for contact;
- (d) any person who was caring for the child immediately prior to the making of the application; and
- (e) any person whom the applicant alleges to have effected, or to have been or to be responsible for, the taking or keeping of the child.

Textual Amendments

- F1** Rule 13.17(1) substituted (22.4.2014) by [The Family Procedure \(Amendment No.3\) Rules 2013 \(S.I. 2013/3204\)](#), [rules 1](#), [56](#) (with [rule 137](#)); S.I. 2014/954, [art. 2](#)

Status:

Point in time view as at 22/04/2014.

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 13.