

---

STATUTORY INSTRUMENTS

---

**2010 No. 2955**

**The Family Procedure Rules 2010**

**PART 14**

**PROCEDURE FOR APPLICATIONS IN ADOPTION,  
PLACEMENT AND RELATED PROCEEDINGS**

**Who the parties are**

**14.3.—**(1) In relation to the proceedings set out in column 1 of the following table, column 2 sets out who the application may be made by and column 3 sets out who the respondents to those proceedings will be.

---

<i>Proceedings for</i>	<i>Applicants</i>	<i>Respondents</i>
An adoption order (section 46 of the 2002 Act).	The prospective adopters (sections 50 and 51 of the 2002 Act) MI	Each parent who has parental responsibility for the child unless that parent has given notice under section 20(4)(a) of the 2002 Act (statement of wish not to be informed of any application for an adoption order) which has effect; any guardian of the child unless that guardian has given notice under section 20(4)(a) of the 2002 Act (statement of wish not to be informed of any application for an adoption order) which has effect; any person in whose favour there is provision for contact; any adoption agency having parental responsibility for the child under section 25 of the 2002 Act; any adoption agency which has taken part at any stage in the arrangements for adoption of the child; any local authority to whom notice under section 44 of the 2002 Act (notice of intention to adopt or apply for a section 84 order) has been given; any local authority or voluntary organisation which has parental responsibility for, is looking after or is caring for, the child; and the child where—

**Status:** Point in time view as at 22/04/2014.

**Changes to legislation:** There are currently no known outstanding effects for the Family Procedure Rules 2010, Section 14. (See end of Document for details)

		<ul style="list-style-type: none"> <li>— permission has been granted to a parent or guardian to oppose the making of the adoption order (section 47(3) or 47(5) of the 2002 Act);</li> <li>— the child opposes the making of an adoption order;</li> <li>— a children and family reporter recommends that it is in the best interests of the child to be a party to the proceedings and that recommendation is accepted by the court;</li> <li>— the child is already an adopted child;</li> <li>— any party to the proceedings or the child is opposed to the arrangements for allowing any person contact with the child, or a person not being allowed contact with the child after the making of the adoption order;</li> <li>— the application is for a Convention adoption order or a section 84 order;</li> <li>— the child has been brought into the United Kingdom in the circumstances where section 83(1) of the 2002 Act applies (restriction on bringing children in);</li> <li>— the application is for an adoption order other than a Convention adoption order and the prospective adopters intend the child to live in a country or territory outside the British Islands after the making of the adoption order;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>— the prospective adopters are relatives of the child.</li> </ul>
A section 84 order.	The prospective adopters asking for parental responsibility prior to adoption abroad.	As for an adoption order.
A placement order (section 21 of the 2002 Act).	A local authority (section 22 of the 2002 Act).	<p>Each parent who has parental responsibility for the child;</p> <p>any guardian of the child;</p> <p>any person in whose favour an order under the 1989 Act is in force in relation to the child;</p> <p>any adoption agency or voluntary organisation which has parental responsibility for, is looking after, or is caring for, the child;</p> <p>the child; and</p> <p>the parties or any persons who are or have been parties to proceedings for</p>

An order varying a placement order (section 23 of the 2002 Act).	The joint application of the local authority authorised by the placement order to place the child for adoption and the local authority which is to be substituted for that authority (section 23 of the 2002 Act).	a care order in respect of the child where those proceedings have led to the application for the placement order.  The parties to the proceedings leading to the placement order which it is sought to have varied except the child who was the subject of those proceedings; and any person in whose favour there is provision for contact.
An order revoking a placement order (section 24 of the 2002 Act).	The child; the local authority authorised to place the child for adoption; or where the child is not placed for adoption by the authority, any other person who has the permission of the court to apply (section 24 of the 2002 Act).	The parties to the proceedings leading to the placement order which it is sought to have revoked; and any person in whose favour there is provision for contact.
[ <sup>F1</sup> An order under section 26 of the 2002 Act].	The child; the adoption agency; any parent, guardian or relative; any person in whose favour there was provision for contact under the 1989 Act which ceased to have effect on an adoption agency being authorised to place a child for adoption, or placing a child for adoption who is less than six weeks old (section 26(1) of the 2002 Act); [ <sup>F2</sup> if a child arrangements order was in force immediately before the adoption agency was authorised to place the child for adoption or (as the case may be) placed the child for adoption at a time when he or she was less than six weeks old, any person named in the order as a person with whom the child was to live;] a person who by virtue of an order made in the exercise of the High Court's inherent jurisdiction with respect to children had care of the child immediately before that time; or any person who has the permission of the court to make the application (section 26 of the 2002 Act).	The adoption agency authorised to place the child for adoption or which has placed the child for adoption; the person with whom the child lives or is to live; each parent with parental responsibility for the child; any guardian of the child; and the child where— — the adoption agency authorised to place the child for adoption or which has placed the child for adoption or a parent with parental responsibility for the child opposes the making of [ <sup>F3</sup> the order] under section 26 of the 2002 Act; — the child opposes the making of [ <sup>F3</sup> the order] under section 26 of the 2002 Act; — existing provision for contact is to be revoked; — relatives of the child do not agree to the arrangements for allowing any person contact with the child, or a person not being allowed contact with the child; or — the child is suffering or is at risk of suffering harm within the meaning of the 1989 Act.
An order varying or revoking [ <sup>F4</sup> an order under	The child; the adoption agency; or	The parties to the proceedings leading to [ <sup>F5</sup> the order] which it is sought to have varied or revoked; and

*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 14. (See end of Document for details)*

<p>section 26 of the 2002 Act] (section 27 of the 2002 Act).</p>	<p>any person named in [<sup>F5</sup>the order] (section 27(1) of the 2002 Act).</p>	<p>any person named in [<sup>F5</sup>the order].</p>
<p>An order permitting the child's name to be changed or the removal of the child from the United Kingdom (section 28(2) and (3) of the 2002 Act).</p>	<p>Any person including the adoption agency or the local authority authorised to place, or which has placed, the child for adoption (section 28(2) of the 2002 Act).</p>	<p>The parties to proceedings leading to any placement order; the adoption agency authorised to place the child for adoption or which has placed the child for adoption; any prospective adopters with whom the child is living; each parent with parental responsibility for the child; and any guardian of the child.</p>
<p>[<sup>F6</sup>A contact order under section 51A(2)(a) of the 2002 Act.</p>	<p>The child; or any person who has obtained the court's leave to make the application.</p>	<p>A person who has applied for the adoption order or in whose favour the adoption order is or has been made; and</p> <p>Any adoption agency having parental responsibility for the child under section 25 of the 2002 Act.</p>
<p>An order prohibiting the person named in the order from having contact with the child (section 51A(2)(b) of the 2002 Act).</p>	<p>A person who has applied for the adoption order or in whose favour the adoption order is or has been made;</p> <p>the child; or</p> <p>any person who has obtained the court's leave to make the application.</p>	<p>A person against whom an application is made who—</p> <p>(but for the child's adoption) would be related to the child by blood (including half-blood), marriage or civil partnership;</p> <p>is a former guardian of the child;</p> <p>is a person who had parental responsibility for the child immediately before the making of the adoption order;</p> <p>is a person who was entitled to make an application for an order under section 26 of the 2002 Act in respect of the child (contact with children placed or to be placed for adoption) by virtue of subsection (3)(c), (d) or (e) of that section;</p> <p>is a person with whom the child has lived for a period of at least one year; and</p>

		any adoption agency having parental responsibility for the child under section 25 of the 2002 Act.
The variation or revocation of a contact order or an order prohibiting contact under section 51A(2) of the 2002 Act (section 51B(1)(c) of that Act).	The child; a person in whose favour the adoption order was made; or a person named in the order.	The parties to the proceedings leading to the contact order or an order prohibiting contact which it is sought to have varied or revoked; and  any person named in the contact order or the order prohibiting contact.]
A section 88 direction.	The adopted child; the adopters; any parent; or any other person.	The adopters; the parents; the adoption agency; the local authority to whom notice under section 44 of the 2002 Act (notice of intention to apply for a section 84 order) has been given; and the Attorney-General.
A section 89 order.	The adopters; the adopted person; any parent; the relevant Central Authority; the adoption agency; the local authority to whom notice under section 44 of the 2002 Act (notice of intention to adopt or apply for a section 84 order) has been given; the Secretary of State for the Home Department; or any other person.	The adopters; the parents; the adoption agency; and the local authority to whom notice under section 44 of the 2002 Act (notice of intention to adopt or apply for a section 84 order) has been given.

(2) The court may at any time direct that a child, who is not already a respondent to proceedings, be made a respondent to proceedings where—

- (a) the child—
  - (i) wishes to make an application; or
  - (ii) has evidence to give to the court or a legal submission to make which has not been given or made by any other party; or
- (b) there are other special circumstances.

(3) The court may at any time direct that—

- (a) any other person or body be made a respondent to proceedings; or
- (b) a party be removed.

(4) If the court makes a direction for the addition or removal of a party, it may give consequential directions about—

- (a) serving a copy of the application form on any new respondent;

*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 14. (See end of Document for details)*

- (b) serving relevant documents on the new party; and
- (c) the management of the proceedings.

#### **Textual Amendments**

- F1** Words in rule 14.3(1) Table substituted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, [34\(a\)\(i\)](#)
- F2** Words in rule 14.3(1) Table substituted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, [34\(a\)\(iii\)](#)
- F3** Words in rule 14.3(1) Table substituted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, [34\(a\)\(ii\)](#)
- F4** Words in rule 14.3(1) Table substituted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, [34\(b\)\(i\)](#)
- F5** Words in rule 14.3(1) Table substituted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, [34\(b\)\(ii\)](#)
- F6** Words in rule 14.3 Table inserted (22.4.2014) by [The Family Procedure \(Amendment No. 3\) Rules 2014 \(S.I. 2014/843\)](#), rules 1, [33](#)

#### **Marginal Citations**

- M1** [Section 51](#) was amended by section 79(1), (4) and (5) of the Civil Partnership Act 2004 and by section 56 of and paragraphs 39(1), (2) and (3) of Schedule 6 to the Human Fertilisation and Embryology Act 2008.

**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 14.