
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 19

ALTERNATIVE PROCEDURE FOR APPLICATIONS

Types of application for which Part 19 procedure may be followed

- 19.1.**—(1) The Part 19 procedure is the procedure set out in this Part.
- (2) An applicant may use the Part 19 procedure where the Part 18 procedure does not apply and—
- (a) there is no form prescribed by a rule or referred to in Practice Direction 5A in which to make the application;
 - (b) the applicant seeks the court's decision on a question which is unlikely to involve a substantial dispute of fact; or
 - (c) paragraph (5) applies.
- (3) The court may at any stage direct that the application is to continue as if the applicant had not used the Part 19 procedure and, if it does so, the court may give any directions it considers appropriate.
- (4) Paragraph (2) does not apply if a practice direction provides that the Part 19 procedure may not be used in relation to the type of application in question.
- (5) A rule or practice direction may, in relation to a specified type of proceedings—
- (a) require or permit the use of the Part 19 procedure; and
 - (b) disapply or modify any of the rules set out in this Part as they apply to those proceedings.

Status:

Point in time view as at 22/04/2014. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 19.