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STATUTORY INSTRUMENTS

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**2010 No. 2955**

**The Family Procedure Rules 2010**

**PART 6**

**SERVICE**

**CHAPTER 4**

**SERVICE OUT OF THE JURISDICTION**

**[<sup>F1</sup>Extension of time for serving the application for a matrimonial or civil partnership order**

**6.41B.**—(1) The applicant may apply for an order extending the time for compliance with rule 6.41A.

(2) The general rule is that an application under paragraph (1) must be made—

- (a) within the period for service specified by rule 6.41A; or
- (b) where an order has been made under this rule, within the period specified by that order.

(3) Where an applicant asserts that they have a good reason for not making an application under paragraph (1) within the periods specified in paragraph (2) an application under paragraph (1) may be made—

- (a) after the period for service specified by rule 6.41A; or
- (b) where an order has been made under this rule, after the period specified by that order.

(4) On an application under paragraph (1), the court must consider all the circumstances including whether—

- (a) the applicant has taken reasonable steps to comply with rule 6.41A; and
- (b) the applicant has acted promptly.

(5) An application for an order extending the time for compliance with rule 6.41A—

- (a) must be supported by evidence; and
- (b) may be made without notice.]

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**Textual Amendments**

**F1** Rules 6.41A, 6.41B inserted (6.4.2022) by [The Family Procedure \(Amendment\) Rules 2022 \(S.I. 2022/44\)](#), rules 1(3)(a), 21 (with rule 29); S.I. 2022/283, reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 6.41B.