

STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 9

APPLICATIONS FOR A FINANCIAL REMEDY

CHAPTER 5

[^{F1}FAST-TRACK PROCEDURE]

Duties of the court and the applicant upon filing an application

9.18.—^{F1}(A1) This Chapter applies where, in accordance with rule 9.9B, the fast-track procedure applies to an application for a financial remedy.]

(1) [^{F2}Where an application is issued]—

- (a) the court will fix a first hearing date not less than [^{F3}6 weeks and not more than 10] weeks after the date of the filing of the application; and
- (b) subject to paragraph (2), within 4 days beginning with the date on which the application was filed, a court officer will—

- (i) serve a copy of the application on the respondent; [^{F4}and]

- (ii) give notice of the date of the first hearing to the applicant and the respondent[^{F5}.]

- ^{F6}(iii)

(2) Where the applicant wishes to serve a copy of the application on the respondent and, on filing the application, so notifies the court—

- (a) paragraph (1)(b) does not apply;
- (b) a court officer will return to the applicant the copy of the application and the notice of the date of the first hearing; and

(c) the applicant must—

- (i) within 4 days beginning with the date on which the copy of the application is received from the court, serve the copy of the application and notice of the date of the first hearing on the respondent; [^{F7}and]

- ^{F8}(ii)

- (iii) file a certificate of service at or before the first hearing.

(3) The date fixed under paragraph (1), or for any other subsequent hearing or appointment must not be cancelled except with the court's permission and, if cancelled, the court must immediately fix a new date.

^{F9}(4)

[^{F10}(5) In relation to an application to which ^{F11}... [^{F12}the 2007 Hague Convention] applies, where the applicant does not already know the address of the respondent at the time the application is

issued, paragraph (2) does not apply and the court will serve the application in accordance with paragraph (1).]

Textual Amendments

- F1** Rule 9.18(A1) substituted (4.6.2018) by [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(a)** (with rule 12); and rule 9.18(A1) in so far as it still has effect in relation to financial remedy proceedings issued before 4.6.2018 by virtue of rule 12 is amended (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), **8(6)(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)
- F2** Words in rule 9.18(1) substituted (22.4.2014) by [The Family Procedure \(Amendment No.3\) Rules 2013 \(S.I. 2013/3204\)](#), rules 1, **28(b)** (with rule 137); S.I. 2014/954, art. 2
- F3** Words in rule 9.18(1)(a) substituted (4.6.2018) by [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(b)(i)** (with rule 12)
- F4** Word in rule 9.18(1)(b)(i) inserted (4.6.2018) by [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(b)(ii)(aa)** (with rule 12)
- F5** Rule 9.18(1)(b)(ii): full stop substituted for word (4.6.2018) by [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(b)(ii)(bb)** (with rule 12)
- F6** Rule 9.18(1)(b)(iii) omitted (4.6.2018) by virtue of [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(b)(ii)(cc)** (with rule 12)
- F7** Word in rule 9.18(2)(c)(i) inserted (4.6.2018) by [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(c)(i)** (with rule 12)
- F8** Rule 9.18(2)(c)(ii) omitted (4.6.2018) by virtue of [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(c)(ii)** (with rule 12)
- F9** Rule 9.18(4) omitted (4.6.2018) by virtue of [The Family Procedure \(Amendment\) Rules 2018 \(S.I. 2018/440\)](#), rules 1, **8(d)** (with rule 12)
- F10** Rule 9.18(4)(5) inserted (18.6.2011) by [The Family Procedure \(Amendment\) Rules 2011 \(S.I. 2011/1328\)](#), rules 1, **10**
- F11** Words in rule 9.18(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), **8(6)(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)
- F12** Words in rule 9.18(5) inserted (20.12.2012) by [The Family Procedure \(Amendment No. 4\) Rules 2012 \(S.I. 2012/2806\)](#), rules 1, **10(b)**

Changes to legislation:

There are currently no known outstanding effects for the The Family Procedure Rules 2010, Section 9.