
STATUTORY INSTRUMENTS

2014 No. 3296

The Family Procedure (Amendment No. 4) Rules 2014

Amendments to the Family Procedure Rules 2010

6. For rule 7.13, substitute—

“Supplemental application and amendment of application and answer

7.13.—(1) In this rule—

- (a) paragraphs (2)(a) and (b) and (3) set out when a supplemental application may or may not be made or an application may or may not be amended before an answer has been filed and before an application has been made under rule 7.19(1);
- (b) paragraphs (2)(c) and (3) set out when an answer may or may not be amended before an application has been made under rule 7.19(1);
- (c) paragraph (5) sets out when a supplemental application may be made or an application may be amended after an answer has been filed or after an application has been made under rule 7.19(1); and
- (d) paragraph (6) sets out when an answer may be amended after an application has been made under rule 7.19(1).

(2) Unless paragraph (3) applies—

- (a) a party making an application for a matrimonial or civil partnership order may amend the application at any time before an answer to it has been filed;
- (b) a party making an application for a matrimonial or civil partnership order may make a supplemental application at any time before an answer has been filed;
- (c) a party who has filed an answer may amend the answer.

(3) No supplemental application may be made and no amendment to an application for a matrimonial or civil partnership order or to an answer may be made under paragraph (2) if an application under rule 7.19(1) has been made in relation to the marriage or civil partnership concerned.

(4) Where an amendment is made or a supplemental application is made under paragraph (2)—

- (a) if the document amended is the application or if a supplemental application is made—
 - (i) it must be served in accordance with rule 7.8; and
 - (ii) rule 7.12 applies;
- (b) rule 7.10 applies; and
- (c) any person who becomes a co-respondent to the proceedings in accordance with rule 7.10 as a consequence of such an amendment or supplemental application must be served with the documents required to be served on a co-respondent with an application for a matrimonial or civil partnership order.

(5) Where an answer has been filed, or an application has been made under rule 7.19(1), an amendment may not be made to an application and a supplemental application may not be made except—

- (a) with the written consent of all the other parties; or
- (b) with the permission of the court.

(6) Where an answer has been filed and an application has been made under rule 7.19(1), an amendment may not be made to the answer except—

- (a) with the written consent of all the other parties; or
- (b) with the permission of the court.

(7) Where paragraph (5) or (6) applies, the court may give directions as to—

- (a) the service of the amended application, the amended answer or the supplemental application, as the case may be, and the service of any accompanying documents;
- (b) the joining of any additional parties in accordance with rule 7.10; and
- (c) the extent to which rule 7.12 must be complied with in respect of any amended application or any supplemental application.

(8) The court may direct that any person cease to be a party if, in consequence of any amendment made or supplemental application made under this rule, that person—

- (a) no longer falls within rule 7.10(2) or (4); or
- (b) falls within rule 7.10(4), but it is no longer desirable for that person to be a party to the proceedings.

(Practice Direction 7A contains information regarding amending applications, making supplemental applications and making second (or further) applications.)”.