

This Statutory Instrument has been made, in part, in consequence of a defect in S.I. 2019/517 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2021 No. 155 (L. 3)

FAMILY PROCEEDINGS

SENIOR COURTS OF ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

The Family Procedure (Amendment) Rules 2021

<i>Made</i> - - - -	<i>9th February 2021</i>
<i>Laid before Parliament</i>	<i>15th February 2021</i>
<i>Coming into force</i> - -	<i>6th April 2021</i>

The Family Procedure Rule Committee makes the following Rules in exercise of the powers conferred by sections 75 and 76(8) of the Courts Act 2003(a), having fulfilled the requirements of section 79(1) of that Act:

Citation and commencement

1. These Rules may be cited as the Family Procedure (Amendment) Rules 2021 and come into force on 6th April 2021.

Amendment of the Family Procedure Rules 2010

2. The Family Procedure Rules 2010(b) are amended in accordance with rules 3 and 4 of these Rules.

Amendment of rule 6.43

3. For rule 6.43(3)(a) substitute—

“(a) provided for by rule 6.45 (service through foreign governments, judicial authorities and British Consular authorities); or”.

Insertion of new rule 36.3

4. After rule 36.2 insert—

(a) 2003 c. 39. Section 75 was amended by paragraphs 308 and 338 of Schedule 4 and Part 2 of Schedule 18 to the Constitutional Reform Act 2005 (c. 4) and by paragraphs 83 and 91 of Schedule 10 to the Crime and Courts Act 2013 (c. 22).

(b) S.I. 2010/2955. Relevant amendments were made by S.I. 2019/517.

“Temporary modifications for coronavirus or other emergency

36.3. Practice Directions may modify or disapply any provision of these rules—

- (a) for specified periods; and
- (b) in relation to proceedings in specified courts,

in order to address issues for the work of the courts arising from the coronavirus (SARS-CoV-2) outbreak or any other public emergency.”.

*Sir Andrew McFarlane, President of the Family Division
District Judge (Magistrates’ Courts) Branston
Melanie Carew
His Honour Judge Godwin
Tony McGovern
Mr Justice Mostyn
Her Honour Judge Raeside
District Judge Williams*

I allow these Rules
Signed by authority of the Lord Chancellor

Alex Chalk
Parliamentary Under-Secretary of State
Ministry of Justice

9th February 2021

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Procedure Rules 2010 (“the FPR”) (S.I. 2010/2955).

Rule 3 amends rule 6.43 of the FPR which makes provision for cases where service is to be effected on a respondent outside of the United Kingdom.

Rule 4 inserts a new rule 36.3 into the FPR to enable provisions of the FPR to be modified or disapplied by Practice Directions to address issues for the work of the courts arising from a public emergency.

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