

2021 No. 505 (L. 7)

FAMILY PROCEEDINGS

SENIOR COURTS OF ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

**The Family Court (Composition and Distribution of Business)
(Amendment) Rules 2021**

<i>Made</i> - - - -	<i>22nd April 2021</i>
<i>Laid before Parliament</i>	<i>26th April 2021</i>
<i>Coming into force</i> - -	<i>24th May 2021</i>

The President of the Family Division, as nominee of the Lord Chief Justice under paragraph 2(2)(b) of Part 1 of Schedule 1 to the Constitutional Reform Act 2005^(a), makes the following Rules in exercise of the powers conferred by section 31D (1), (2) and (3) of the Matrimonial and Family Proceedings Act 1984^(b).

These Rules are made after consultation with the Family Procedure Rule Committee in accordance with section 31D(5)(b) of the Matrimonial and Family Proceedings Act 1984.

These Rules are made with the agreement of the Lord Chancellor in accordance with paragraph 2 of Part 1 of Schedule 1 to the Constitutional Reform Act 2005.

Citation, commencement and extent

1.—(1) These Rules may be cited as the Family Court (Composition and Distribution of Business) (Amendment) Rules 2021.

(2) These Rules come into force on 24th May 2021.

(3) These Rules extend to England and Wales.

Amendments to the Family Court (Composition and Distribution of Business) Rules 2014

2. The Family Court (Composition and Distribution of Business) Rules 2014^(c) are amended as follows.

^(a) 2005 c. 4.

^(b) 1984 c. 42. Section 31D was inserted by paragraph 1 of Schedule 10 to the Crime and Courts Act 2013 (c. 22).

^(c) S.I. 2014/840. Relevant amendments were made by S.I. 2014/3297 and 2018/1413.

3. In rule 7(1) (composition: appeals heard by a judge of High Court level) omit sub-paragraph (b).

4. In Schedule 1 (allocation)—

(a) in paragraph 2—

(i) in sub-paragraph (c), omit “where the parties consent to permission being granted and to the substantive order sought”;

(ii) in sub-paragraph (f)—

(aa) in paragraph (i) for “; or” substitute “.”; and

(bb) omit paragraph (ii); and

(b) in paragraph 4 omit sub-paragraphs (a) and (d).

14th April 2021

Sir Andrew McFarlane
President of the Family Division

I agree

David Wolfson
Parliamentary Under-Secretary of State
Ministry of Justice

22nd April 2021

EXPLANATORY NOTE

(This note is not part of the Rules)

These Rules amend the Family Court (Composition and Distribution of Business) Rules 2014 (S.I. 2014/840) (“the 2014 Rules”).

Rule 3 omits from the 2014 Rules the provision which routes appeals from decisions in financial remedy proceedings made by a district judge of the Principal Registry of the Family Division, or of a person appointed to act as a deputy or as a temporary additional office for such a district judge, to a judge of High Court level in the family court. Such appeals will instead be allocated under rule 6 or 7(2) of the 2014 Rules.

Rule 4 amends Schedule 1 to the 2014 Rules to make provision for all proceedings under section 12 or 13 of the Matrimonial and Family Proceedings Act 1984, or under Schedule 7 to the Civil Partnership Act 2004 (c. 33) to be allocated to a judge of district judge level in the family court, subject to the provisions of rule 15(2) of the 2014 Rules.

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