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SCHEDULE

Rule 4

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Rule 4

Application for a Parental Order
Section 30 Human Fertilisation and Embryology Act 1990

Apply to The **Family Proceedings Court**

1 About the child

(a) The birth name of the child
Put the surname last

(b) The child is a Boy Girl

(c) The child was born on Age now

(d) The address where the child was born

(e) The address where the child lives now

(f) The person(s) who have parental responsibility
See the Notes on the last page.

(g) The name(s) of the child if a Parental Order is made
Put the surname last

2 About the applicants (continued)

2nd Applicant

(a) Your full name
Put your surname last

(b) Are you over 18? Yes No

(c) Your occupation

(d) Are you a genetic parent of the child? Yes No

(e) Are you domiciled in the United Kingdom, Channel Islands or the Isle of Man? Yes No

Both Applicants

Your address is

3 About the birth parents *See the notes on the last page.*

The birth mother

(a) Her full name
Put her surname last

(b) Her full address

The birth father (if any)

(c) His full name
Put his surname last

(d) His full address

4 Parental agreement

(a) Does the birth mother agree to a Parental Order being made? Yes No

(b) Does the birth father (if applicable) agree to a Parental Order being made? Yes No

• The agreement of the birth mother and birth father (where appropriate) is required, or must be dispensed with under one of the grounds at 4(d) on page 3, before an order can be made.

• The child must be at least 6 weeks old when the agreement is given

2 About the applicants

1st Applicant

(a) Your full name
Put your surname last

(b) Are you over 18? Yes No

(c) Your occupation

(d) Are you a genetic parent of the child? Yes No

(e) Are you domiciled in the United Kingdom, Channel Islands or the Isle of Man? Yes No

5

CH1474 Application for a Parental Order

6

CH1474 Application for a Parental Order

7

CH1474 Application for a Parental Order

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7

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5 General Information (continued)

(d) Is there a licensed treatment centre? Yes No

Text box for name, address and any reference of the treatment centre.

6 The respondents

- The respondent(s) will be: all those with parental responsibility (see the notes on page 8) for the child immediately before the care order was made other persons allowed by the Rules of Court

Table with 2 columns: The name of the respondent, The respondent's address

- You need not give details of the birth parent(s) Please put the address where the respondent usually lives, or can be served with papers You will have to serve a copy of this application on the birth parent(s) (including the birth parent(s))

7 Declaration

We declare that

- we are married to each other and our marriage certificate is attached that no money or other benefit (other than for expenses reasonably incurred) has been received or given by or applied for in consideration of the matters set out in section 30(7) of the Human Fertilisation and Embology Act 1990 a copy of the child's birth certificate is attached the information we have given is correct and complete to the best of our knowledge.

Signed 1st Applicant Date Signed 2nd Applicant Date

What you (the person applying) must do next

- Fill in Parts 1 and 2 of the Notice of Hearing. Take or send this form to the court with a copy for service on each of the respondent(s) who are named in the application. The top copy will be kept by the court. The other copies will be given or sent back to you. You must leave the form of Answer (Form CHA 75), and a copy of this Application, the Notice of Hearing and the Notes, on each respondent and birth parent according to the Rules. You may also be required to send a copy of the Notice of Hearing and the Notes to other people.

4 Parental agreement (continued)

(c) Will you be asking the court to dispense with the agreement of a birth parent? Yes No

If Yes give the names of the persons whose agreement you wish to dispense with.

(d) The grounds for dispensing with the agreement are: the person(s) cannot be found the person(s) are incapable of giving agreement

5 General Information

(a) Has the child ever been looked after by a local authority or voluntary organisation? Yes No

If Yes give the period during which this organisation has looked after the child give details of the organisation

(b) Have there been, or are there, any other court proceedings pending or in progress which require this child? Yes No

If Yes give details of the proceedings Give the name of the court and the number of the proceedings, if known

(c) Have there been, or are there, any court proceedings pending or in progress which require the attention of the applicants' family? Yes No

If Yes give details of the proceedings Give the name of the court and the number of the proceedings, if known

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In the [High Court of Justice] [County Court] [Family Proceedings Court] at [Case No.]

Notice of a Hearing concerning an application for a Parental Order Section 30 Human Fertilisation and Embryology Act 1990

Please read this notice now. * You are named as a respondent in the application. (To the applicant: *delete if not applicable)

1 About the child

(a) The birth name of the child is [] Put the surname first. (b) The child is a [] Boy [] Girl (c) The child was born on [] day [] month [] year [] Age now []

2 About the applicants

(a) Full names [] Put the surname first. 1st Applicant [] 2nd Applicant [] (b) Name and postal address of [] the person or persons who has been appointed for the child [] of [] panel []

The court will complete this page.

3 About the Hearing

The application will be heard before the [Judge] [Justice(s)] at [] on [] at [] o'clock

If you are not the applicant, you may attend the hearing if you would like to do so or the court modifies you that your attendance is necessary. If you would like to be heard on the question of whether a Parental Order should be made, you should write and tell the court on or before []

The court can then arrange a time for you to attend court.

4 Dispensing with the agreement

Note: This paragraph should be deleted unless the applicants are applying to dispense with the agreement of the birth parent(s). The court has been requested to dispense with the agreement of the birth parent(s) to the making of a Parental Order on the ground(s) that: [] (a) The person(s) cannot be found. [] (b) The person(s) [is] [are] incapable of giving agreement.

Signed [] Date [] An officer of the court.

CIAX7 - Application for a Parental Order (Notice of a Hearing)

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Notes about parental responsibility and birth parents

Parental Responsibility

Some people have "parental responsibility" for a child. The law says what "parental responsibility" is and which people have it. These people include:

- A the birth mother
B the birth father if he was married to the child's birth mother when the child was born
C the birth father if he was not married to the child's birth mother when the child was born but he now has a residence order
or he now has a court order which gives him parental responsibility
or he now has a formal "parental responsibility agreement" with the birth mother
or he has since married the birth mother
D a guardian of the child
E someone who holds a custody or residence order
F a local authority which has a care order
G someone who holds an emergency protection order
H any man or woman who has adopted the child

Birth Parents

The birth mother is the woman who carried the child.

- The birth father is the husband of a birth mother whether or not he is the genetic father of the child. This does not apply if it can be shown that the husband did not consent to her treatment.
the man (whether or not he is the genetic father of the child) with whom a birth mother received treatment at a licensed treatment centre if
(a) the birth mother is unmarried
or (b) the birth mother is married but her husband did not consent to the treatment.
There will be no birth father when a birth mother is unmarried and is treated alone.
Notice
If you are not sure who the birth father is, the licensed treatment centre will be able to advise you.

What you must do

- If there is a copy of the application with this Notice, read it now. You do not have to fill in any part.
You must complete the form of Answer. If it is enclosed, and follow the instructions about service on the first page of that form.
You should consider getting legal advice from a solicitor or from an advice agency. The Law Society administers a national panel of solicitors to represent children and other parties involved in proceedings relating to children.
Addresses of solicitors (including panel members) and advice agencies can be obtained from the Yellow Pages and the Solicitors Regional Directory. These can be found at
Citizens Advice Bureaux
Law Centres
any local library.

If you write to the court please address your letters to "The Chief Clerk" and quote the No. of the matter at the top of this form. The Court office is at

The office is open from am to pm on Monday to Friday.

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In the [High Court of Justice]
[County Court]
[Family Proceedings Court]

Case No. []

ANSWER
Section 30 Human Fertilisation and Embryology Act 1990

To the applicant: You will need a copy of this form for each respondent and birth parent. On each copy you must put in the boxes: the name and address of each respondent or birth parent, and the name of the child.

Respondent's name and address:

To the respondent

The birth name of the child
Put the surname last.

[]

You will get with this form a copy of

- ▶ a Notice of Hearing
- ▶ an application that has been made to the court.

Please

- ▶ read the Notice first
- ▶ then read the application
- ▶ answer the questions on the other side of this form

You must

- ▶ return only the attached Answer to the court at the address below
- ▶ serve a copy of the Answer on the applicant, birth parent(s) and each respondent (see parts 2, 3 and 6 of the application form) within 14 days from the date you were given the Notice of Hearing
- ▶ or of the post mark on the envelope, if the Notice was posted to you.

To the court: insert the name and address of your court

[]

The court office is open from am to pm on Monday to Friday.

CH1A75 Answer

Answer

Case No. []

1 (a) Your name
Put your surname last

[]

(b) Your address

[]

(c) When did you receive this form?
Put the full date

[]

2 Do you wish to oppose the application?

Yes No

3 Do you wish to be heard on the question as to whether a Parental Order should be made?
(see Part 3 of the Notice of Hearing)

Yes No

4 If you have a solicitor

If you would like letters or other papers sent to your solicitor, put your solicitor's name and address in the box.

[]

5 I declare that the information I have given is true and correct to the best of my knowledge.

Signed

[]

Date

[]

CH1A75 Answer

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In the [High Court of Justice] (County Court) [Family Proceedings Court] at []

Parental Order Section 30 Human Fertilisation and Embryology Act 1990 Case No. []

1 (a) The child is [] Give the birth name and name by which the child is known (if different). Sex: [] Date of birth: [] Address where born: [] Full names of birth parent(s): []

(b) The applicants are 1st applicant Name: [] Occupation: [] Place of birth: [] 2nd applicant Name: [] Occupation: [] Place of birth: []

(c) The address of the applicants []

CH1A/76 Parental Order 1

2 The court grants a Parental Order to the applicants [The Court has ordered the costs as follows:]

3 The child is to be known by the following names:

4 The court has directed the Registrar General to enter the details set out in this order in the Parental Order Register in accordance with Regulations under paragraph 1 of Schedule 1 to the Adoption Act 1976 as modified by the Parental (Human Fertilisation and Embryology) Regulations 1994, and to insert the words "Re-registered by the Registrar General" against the entry in the Register of Births.

Ordered by [Mr] [Mrs] Justice [His/Her] Honour Judge A District Judge of the Family Division Justice(s) of the Peace Clerk of the Court

CH1A/76 Parental Order 2

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In the
at

[High Court of Justice]
[County Court]
[Family Proceedings Court]

Case No. []

Notice of refusal of a Parental Order
Section 30 Human Fertilisation and Embryology Act 1990

Keep this Notice for future reference

1 About the child

(a) The birth name of the child
Put the surname first

(b) The child is a

Boy Girl

(c) The child was born on

day	month	year
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Age now

2 About the applicants

(a) The full names
Put the surname first

1st applicant

2nd applicant

(b) The order was made on

3 Take Notice that a Parental Order has been refused in respect of the child.