



Domestic Proceedings and Magistrates' Courts Act 1978

1978 CHAPTER 22

PART I

MATRIMONIAL PROCEEDINGS IN MAGISTRATES' COURTS

Provisions relating to procedure, jurisdiction and enforcement

34 Restriction on removal of child from England and Wales

- (1) Where a magistrates' court makes—
 - (a) an order under section 8(2) of this Act regarding the legal custody of a child, or
 - (b) an interim custody order under section 19 of this Act in respect of a child,the court, on making the order or at any time while the order is in force, may, if an application is made for an order under this section, by order direct that no person shall take the child out of England and Wales while the order made under this section is in force, except with the leave of the court.
- (2) A magistrates' court may by order vary or revoke any order made under this section.
- (3) An application for an order under subsection (1) above, or for the variation or revocation of such an order, may be made by either party to the marriage in question and also, in the case of an order made under section 8(2) or 19 of this Act with respect to a child of the family who is not a child of both the parties to the marriage, by any person who, though not one of the parties to the marriage, is a parent of that child.