
Changes to legislation: Senior Courts Act 1981, Cross Heading: Family Division is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 1

DISTRIBUTION OF BUSINESS IN HIGH COURT

Family Division

- 3 To the Family Division are assigned—
- (a) all matrimonial causes and matters (whether at first instance or on appeal);
 - [^{F1}(aa) applications for a writ of habeas corpus for release relating to a minor;]
 - (b) all causes and matters (whether at first instance or on appeal) relating to—
 - (i) legitimacy;
 - [^{F2}(ii) the exercise of the inherent jurisdiction of the High Court with respect to minors, the maintenance of minors and any proceedings under the Children Act 1989, except proceedings solely for the appointment of a guardian of a minor’s estate;]
 - (iii) ^{F3} . . . adoption;
 - (iv) non-contentious or common form probate business;
 - (c) applications for consent to the marriage of a minor [^{F4}or for a declaration under section 27B(5) of the Marriage Act ^{M1} 1949];
 - ^{F5}(d)
 - [^{F6}(e) applications under Part III of the Family Law Act 1986.]
 - [^{F6}(e) proceedings under the Children Act 1989]
 - [^{F7}(ea) proceedings under section 79 of the Childcare Act 2006;]
 - [^{F8}(eb) proceedings under section 43 of the Children and Families (Wales) Measure 2010;]
 - [^{F9}(ec) proceedings under Part 6 of the Social Services and Well-being (Wales) Act 2014;]
 - [^{F10}(f) all proceedings under:—
 - (i) the [^{F11}Part IV [^{F12}or 4A] of the Family Law Act 1996];
 - (ii) the Child Abduction and Custody Act 1985
 - (iii) the Family Law Act 1986;
 - [^{F13}(iv) section 54 [^{F14}or 54A] of the Human Fertilisation and Embryology Act 2008;]
 - ^{F15}(v)
 - [the Convention on Jurisdiction, Applicable Law, Recognition, ^{F16}(vi) Enforcement and Co-Operation in respect of Parental Responsibility and Measures for the Protection of Children that was signed at The Hague on 19 October 1996;]
 - [^{F17}(fa) all proceedings relating to a debit or credit under section 29(1) or 49(1) of the Welfare Reform and Pensions Act 1999;]

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- (g) all proceedings for the purpose of enforcing an order made in any proceedings of a type described in this paragraph.]
- [^{F18}(h) all proceedings under the Child Support Act 1991.]
- [^{F19}(ha) all proceedings under Part 1 of Schedule 2 to the Female Genital Mutilation Act 2003;]
- [^{F20}(i) all proceedings under sections 6 and 8 of the Gender Recognition Act 2004.]
- [^{F21}(i) all civil partnership causes and matters (whether at first instance or on appeal);
- (j) applications for consent to the formation of a civil partnership by a minor or for a declaration under paragraph 7 of Schedule 1 to the Civil Partnership Act 2004;
- (k) applications under section 58 of that Act (declarations relating to civil partnerships).]
- [^{F22}(l) proceedings under Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters, so far as relating to the recognition and enforcement in England and Wales of a protection measure (within the meaning of that Regulation) ordered in a [^{F23}participating Member State (within the meaning of that Regulation)].]

Textual Amendments

- F1** Sch. 1 para. 3(aa) inserted (6.4.2015) by [The High Court \(Distribution of Business\) Order 2014 \(S.I. 2014/3257\)](#), arts. 1, **4(b)**
- F2** Sch. 1 para. 3(b)(ii) substituted (14. 10. 1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5)(6), Sch. 13 para. 45(3) (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**
- F3** Words repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), s. 33(2)(4), Sch. 3 paras. 1, 6, **Sch. 4**
- F4** Words inserted by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), s. 5
- F5** Sch. 1 para. 3(d) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 10 para. 63**; S.I. 2014/954, **art. 2(d)** (with **art. 3**) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** Sch. 1 para. 3(e) commencing “applications under” added by [Family Law Act 1986 \(c. 55, SIF 49:3\)](#), s. 68(1), **Sch. 1 para. 26** and Sch. 1 para. 3(e) commencing “proceedings under” added (14. 10. 1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), ss. 92, 108(6), Sch. 11 Pt. II para. 9 (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**
- F7** Sch. 1 para. 3(ea) inserted (6.4.2007) by [Childcare Act 2006 \(c. 21\)](#), ss. 103(1), 109, **Sch. 2 para. 3**; S.I. 2007/1019, **art. 4**
- F8** Sch. 1 para. 3(eb) inserted (1.4.2011) by [Children and Families \(Wales\) Measure 2010 \(nawm 1\)](#), s. 75(3), **Sch. 1 para. 4**; S.I. 2010/2582, **art. 2**, Sch. 1 (with Sch. 2Sch. 3)
- F9** Sch. 1 para. 3(ec) inserted (6.4.2016) by [The Social Services and Well-being \(Wales\) Act 2014 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/413\)](#), regs. 2(1), **34**
- F10** Sch. 1 para. 3(f)(g) added (14.10.1991) by S.I. 1991/1210, **art. 3**, **Sch**
- F11** Words in Sch. 1 para. 3(f)(i) substituted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 51(b)**; S.I. 1997/1892, **art. 3(1)(b)**
- F12** Words in Sch. 1 para. 3(f)(i) inserted (25.11.2008) by [Forced Marriage \(Civil Protection\) Act 2007 \(c. 20\)](#), ss. 3(1), 4(2)(4), **Sch. 2 para. 1**; S.I. 2008/2779, **art. 2(c)**
- F13** Sch. 1 para. 3(f)(iv) substituted (6.4.2010) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), s. 68(2), **Sch. 6 para. 21**; S.I. 2010/987, **art. 2(g)**
- F14** Words in Sch. 1 para. 3(f)(iv) inserted (3.1.2019) by [The Human Fertilisation and Embryology Act 2008 \(Remedial\) Order 2018 \(S.I. 2018/1413\)](#), **art. 1(1)**, **Sch. 1 para. 1**

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- F15** Sch. 1 para. 3(f)(v) omitted (31.12.2020) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 11** (with reg. 8 (as amended by S.I. 2020/1574, regs. 1, **5(2)**)); 2020 c. 1, Sch. 5 para. 1(1)
- F16** Sch. 1 para. 3(f)(vi) inserted (1.11.2012) by The Parental Responsibility and Measures for the Protection of Children (International Obligations) (England and Wales and Northern Ireland) Regulations 2010 (S.I. 2010/1898), reg. 1(2), **Sch. para. 2**
- F17** Sch. 1 para. 3(fa) inserted (1.12.2000) by 1999 c. 30, s. 84, **Sch. 12 para. 1**; S.I. 2000/1116, **art. 2(b)(f)**
- F18** Sch. 1 para. 3(h) inserted (5.4.1993) by S.I. 1993/622, **art. 3**
- F19** Sch. 1 para. 3(ha) inserted (17.7.2015) by Serious Crime Act 2015 (c. 9), s. 88(1), **Sch. 4 para. 5**; S.I. 2015/1428, reg. 2(c)(i)
- F20** Sch. 1 para. 3(i) inserted (21.1.2005) by The High Court (Distribution of Business) Order 2004 (S.I. 2004/3418), **art. 3**
- F21** Sch. 1 para. 3(i)-(k) inserted (15.4.2005 for specified purposes and otherwise prosp.) by virtue of Civil Partnership Act 2004 (c. 33), ss. 261(1), 263, **Sch. 27 para. 70**; S.I. 2005/1112, **art. 2**, Sch. 1
- F22** Sch. 1 para. 3(l) inserted (11.1.2015) by The Civil Jurisdiction and Judgments (Protection Measures) Regulations 2014 (S.I. 2014/3298), regs. 1(4), **3(3)**
- F23** Words in Sch. 1 para. 3(l) substituted (31.12.2020) by The Mutual Recognition of Protection Measures in Civil Matters (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/493), regs. 1(1), **2** (with reg. 1A (as inserted by S.I. 2020/1493, regs. 1(1), **6(2)**)); 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

- C1** Sch. 1 para. 3 modified (6.4.2010) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2010 (S.I. 2010/985), regs. 1(1), 5, **Sch. 4**
- C2** Sch. 1 para. 3 modified (21.12.2018) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2018 (S.I. 2018/1412), reg. 1(2), **Sch. 4 para. 11**

Marginal Citations

- M1** 1949 c.76(49:1).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(a) word inserted by [2015 c. 2 s. 85\(1\)\(a\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3)(b) and word inserted by [2015 c. 2 s. 85\(1\)\(b\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)
- s. 31(3A)(3B) inserted by [2015 c. 2 s. 85\(2\)](#)