



Family Law Act 1996

1996 CHAPTER 27

PART III

LEGAL AID FOR MEDIATION IN FAMILY MATTERS

26 Legal aid for mediation in family matters.

(1) In the ^{M1}Legal Aid Act 1988 insert, after section 13—

“PART IIIA

MEDIATION

13A Scope of this Part.

- (1) This Part applies to mediation in disputes relating to family matters.
- (2) “Family matters” means matters which are governed by English law and in relation to which any question has arisen, or may arise—
 - (a) under any provision of—
 - (i) the 1973 Act;
 - (ii) the ^{M2}Domestic Proceedings and Magistrates’ Courts Act 1978;
 - (iii) Parts I to V of the ^{M3}Children Act 1989;
 - (iv) Parts II and IV of the Family Law Act 1996; or
 - (v) any other enactment prescribed;
 - (b) under any prescribed jurisdiction of a prescribed court or tribunal; or
 - (c) under any prescribed rule of law.
- (3) Regulations may restrict this Part to mediation in disputes of any prescribed description.
- (4) The power to—

Status: Point in time view as at 01/10/1997. This version of this provision has been superseded.

Changes to legislation: Family Law Act 1996, Section 26 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)

- (a) make regulations under subsection (2), or
 - (b) revoke any regulations made under subsection (3),
- is exercisable only with the consent of the Treasury.”

(2) In section 2 of the 1988 Act, after subsection (3), insert—

“(3A) “Mediation” means mediation to which Part IIIA of this Act applies; and includes steps taken by a mediator in any case—

- (a) in determining whether to embark on mediation;
- (b) in preparing for mediation; and
- (c) in making any assessment under that Part.”

(3) In section 43 of the 1988 Act, after the definition of “legal representative” insert—

“ “mediator” means a person with whom the Board contracts for the provision of mediation by any person.”

Marginal Citations

M1 1988 c. 34.

M2 1978 c. 22.

M3 1989 c. 41.

Status:

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