
S T A T U T O R Y I N S T R U M E N T S

1979 No. 1222 (L.18)

MAGISTRATES' COURTS

The Magistrates' Courts (Adoption) (Amendment) Rules 1979

Made - - - 28th September 1979

Laid before Parliament 9th October 1979

Coming into Operation 1st November 1979

The Lord Chancellor, in exercise of the power conferred on him by section 15 of the Justices of the Peace Act 1949(a), as extended by section 122 of the Magistrates' Courts Act 1952(b) and section 9 of the Adoption Act 1958(c), after consultation with the Rule Committee appointed under the said section 15, hereby makes the following Rules:—

1.—(1) These Rules may be cited as the Magistrates' Courts (Adoption) (Amendment) Rules 1979 and shall come into operation on 1st November 1979.

(2) These Rules shall not apply in relation to an application made before 1st November 1979 for an adoption order.

2. In these Rules "the principal Rules" means the Magistrates' Courts (Adoption) Rules 1976(d).

3. For every reference to a juvenile court or juvenile courts in the principal Rules (that is to say, in rules 3(1), 4(1), 5, 25(1), 27(1), 28(3) and 29(1) and in Forms 1, 5, 6, 7, 8, 9, 10 and 14 in Schedule 1) there shall be substituted a reference to a domestic court or domestic courts, as the case may be.

4. Rule 18 of the principal Rules shall be omitted and, accordingly, in rule 28(11)(a) the reference to rule 18 shall also be omitted.

Dated 28th September 1979.

Hailsham of St. Marylebone, C.

(a) 1949 c. 101.

(b) 1952 c. 55.

(c) 1958 c. 5 (7 & 8 Eliz. 2); section 9 was amended by the Children Act 1975 (c.72), section 108(1) and Schedule 3, paragraph 22.

(d) S.I. 1976/1768.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules amend the Magistrates' Courts (Adoption) Rules 1976 in consequence of sections 79 (meaning of "domestic proceedings"), 80 (domestic courts) and 81 (persons who may be present during hearing of domestic proceedings) of the Domestic Proceedings and Magistrates' Courts Act 1978 (c.22) which come into force on 1st November 1979 (S.I. 1979/731). Those sections have the effect of transferring adoption proceedings from juvenile courts to domestic courts and of requiring adoption proceedings to be heard and determined in private.

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