

SCHEDULE 3

INTERPRETATION OF CERTAIN EXPRESSIONS IN PART I OF THE FAMILY LAW ACT 1986 AS MODIFIED BY SCHEDULE 2 TO THIS ORDER

PART I

The Isle of Man

1. In section 1(1)(f) “an order made by the court in a specified dependent territory corresponding to an order within paragraphs (a) to (e) above” means—

- (a) an order under section 9 of the Family Law Act 1991 (an Act of Tynwald) or any of the following enactments (being enactments repealed by that Act)—
 - (i) section 3(5) of the Guardianship of Infants Act 1953 (an Act of Tynwald), so far as it relates to the custody of infants;
 - (ii) section 4(1) of that Act, except so far as it relates to costs, but including that section as applied by section 3(1) of the Legitimacy Act 1962 (an Act of Tynwald);
 - (iii) section 42(1) or (2) of the Judicature (Matrimonial Causes) Act 1976 (an Act of Tynwald);
 - (iv) section 8(2) or 18(1)(ii) of the Domestic Proceedings Act 1983 (an Act of Tynwald);
 - (v) section 34(1) of that Act;
 - (vi) section 49(1) of that Act, so far as it relates to the custody of or access to a child;
- (b) an order made by the High Court of Justice of the Isle of Man in the exercise of its jurisdiction relating to wardship or its inherent jurisdiction with respect to children—
 - (i) so far as it gives care of a child to any person or provides for contact with or access to, or the education of, a child but
 - (ii) excluding an order varying or revoking such an order, or an order relating to a child of whom care or control is (immediately after the making of the order) vested in a public authority in the Isle of Man.

2. In each of sections 2A(3), 3(3), 6(4), 11(2), 13(5), 20(3), 21(4) and 23(4)—

- (a) in paragraph (a) “corresponding dependent territory order” means an order under section 3(3) of the Child Custody Act 1987 (an Act of Tynwald);
- (b) in paragraph (b) “corresponding dependent territory order” means an order under section 4(2) of that Act.

3. In section 13(6)(a)(ii), “corresponding dependent territory provision” means section 2(2) or 5(3) of the Child Custody Act 1987 (an Act of Tynwald).

4.—(1) In section 27(1) “corresponding provision” means section 7 of the Child Custody Act 1987 (an Act of Tynwald).

(2) In section 27(4) “corresponding dependent territory provision” means section 12(3) of that Act.

5.—(1) In section 32(1) “the corresponding court” means the High Court of Justice of the Isle of Man.

(2) In section 32(1) and (3)(a) “the corresponding dependent territory provisions” means Part I of the Child Custody Act 1987 (an Act of Tynwald).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

6. In section 42(6)(e) “corresponding dependent territory provision” means–
 - (a) section 42(6) or (7) of the Judicature (Matrimonial Causes) Act 1976 (an Act of Tynwald);
 - (b) section 18(6) of the Domestic Proceedings Act 1983 (an Act of Tynwald).