
STATUTORY INSTRUMENTS

1994 No. 3138

FAMILY LAW

**The Children (Allocation of Proceedings)
(Amendment) (No. 2) Order 1994**

Made - - - - - *8th December 1994*
Laid before Parliament *9th December 1994*
Coming into force - - - *3rd January 1995*

The Lord Chancellor, in exercise of the powers conferred on him by Part I of Schedule 11 to the Children Act 1989(1), hereby makes the following Order:—

1. This Order may be cited as the Children (Allocation of Proceedings) (Amendment) (No. 2) Order 1994 and shall come into force on 3rd January 1995.
2. The Children (Allocation of Proceedings) (Order) 1991(2)(“the 1991 Order”) shall be amended in accordance with the provisions of articles 3, 4 and 5 of this Order.
3. In Schedule 1 to the 1991 Order—
 - (a) under the heading “Midland and Oxford Circuit”, after “Derby County Court” there shall be inserted “Dudley County Court” and “Grimsby County Court”;
 - (b) under the heading “South Eastern Circuit”—
 - (i) before “Brighton County Court” there shall be inserted “Bedford County Court”;
 - (ii) after “Croydon County Court” there shall be inserted “Dartford County Court”; and
 - (iii) after “Ipswich County Court” there shall be inserted “King’s Lynn County Court”;
 - (c) under the heading “Western Circuit”—
 - (i) after “Basingstoke County Court” there shall be inserted “Bath County Court”; and
 - (ii) after “Truro County Court” there shall be inserted “Weymouth County Court”.
4. In Schedule 2 to the 1991 Order, under the heading “South Eastern Circuit”—
 - (a) the entries for “Ramsgate” and “Margate” in column (i) and the corresponding entries in column (ii) shall be omitted; and

(1) By virtue of [S.I. 1993/2148](#), the petty sessional divisions of Ramsgate and Margate were combined to form the petty sessional division of Thanet; by virtue of section 4 of the Justices of the Peace Act 1979 (c. 55), a petty sessional division of a non-metropolitan county is a petty sessions area.

(2) [S.I. 1991/1677](#), as amended by [S.I. 1993/624](#) and [1994/2164](#).

- (b) after “Tendring” in column (i) there shall be inserted “Thanet⁽³⁾” and “Canterbury County Court” shall be inserted as the corresponding entry in column (ii).
5. In column (ii) of Schedule 2 to the 1991 Order—
- (a) for “Medway County Court” where it appears opposite the entries in column (i) for the petty sessions areas of Ashford and Tenterden, Canterbury and St. Augustine, Dover and East Kent and Folkestone and Hythe, there shall be substituted “Canterbury County Court”;
 - (b) for “Merthyr Tydfil County Court” where it appears opposite the entries in column (i) for the petty sessions areas of Machynlleth, Newtown and Welshpool, there shall be substituted “Chester County Court”;
 - (c) for “Bristol County Court” where it appears opposite the entries in column (i) for the petty sessions areas of Cirencester, Fairford and Tetbury, Kennet, North Wiltshire, Swindon, and West Wiltshire, there shall be substituted “Swindon County Court”;
 - (d) for “Caernarfon/Llangefni County Court” wherever it appears, there shall be substituted “Caernarfon County Court”.
6. Section 62(2)(b) of the Adoption Act 1976⁽⁴⁾ is hereby repealed.

Dated 8th December 1994

Mackay of Clashfern, C.

(3) By virtue of [S.I. 1993/2148](#), the petty sessional divisions of Ramsgate and Margate were combined to form the petty sessional division of Thanet; by virtue of section 4 of the Justices of the Peace Act [1979 \(c. 55\)](#), a petty sessional division of a non-metropolitan county is a petty sessions area.

(4) [1976 c. 36](#).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Children (Allocation of Proceedings) Order 1991 (“the 1991 Order”) by nominating additional courts as Family Hearing Centres and Care Centres. The new Family Hearing Centres are the county courts at Dudley, Grimsby, Bedford, Dartford, King’s Lynn, Bath and Weymouth. The new Care Centres are the county courts at Canterbury and Swindon. The Care Centre at Llangefni County Court is closed. In addition the Order provides that proceedings arising in the petty sessions areas of Machynlleth, Newtown, and Welshpool which are to be transferred to a Care Centre, shall be transferred to Chester County Court.

Article 14 of the 1991 Order states that, subject to certain exceptions, an application under the Adoption Act 1976 (c. 36) which is made to a county court, shall be made to a divorce county court. This Order repeals section 62(2)(b) of the Adoption Act 1976 to make it clear that an application may be made to any divorce county court irrespective of where the child or, as the case may be, the parent or guardian of the child is.