SCHEDULE

Regulation 7

Amendment of primary and secondary legislation

PART 1

Amendment of primary legislation

Amendment of the Maintenance Orders Act 1950

1.—(1) The Maintenance Orders Act 1950 [M1] is amended as follows.

(2) In section 15 (service of process), omit subsection (1)(a)(vi) and the "or" following it.

(3) In section 22 (discharge and variation of maintenance orders)—

(a) in subsection (1), omit "Subject to subsection (1ZA),";

(b) omit subsection (1ZA).

Commencement Information

I1 Sch. para. 1 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M1 1950 c. 37. Section 15(1) was amended by paragraph 11 of Schedule 3 to the Administration of Justice Act 1977 (c. 38.) and S.I. 2011/1484. There are other amending instruments but none is relevant.

Amendment of the Maintenance and Affiliation Orders Act (Northern Ireland) 1966

2.—(1) The Maintenance and Affiliation Orders Act (Northern Ireland) 1966 [M2] is amended as follows.

(2) In section 10 (orders to which this Part applies)—

(a) omit subsection (6);

(b) omit subsection (7).

(3) In section 13A, in subsection (1), omit "or section 10(6)".

Commencement Information

I2 Sch. para. 2 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M2 1966 c. 35 (N.I.). Section 10(5) was inserted by paragraph 5 of the Schedule to the Maintenance Orders (Reciprocal Enforcement) Act 1972. The other relevant amending instruments are S.I. 1993/1576 (N.I. 6), 2011/1484, S.R. 2012/413.

Amendment of the Administration of Justice Act 1970

3. In Schedule 8 (maintenance orders for purposes of 1958 Act and Part II of this Act) to the Administration of Justice Act 1970 [M3] omit paragraph 13B.

Commencement Information

I3 Sch. para. 3 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M3 1970 c. 31; relevant amending instruments are S.I. 2011/1484, 2012/2814, 2014/605 (L. 9).

Amendment of the Attachment of Earnings Act 1971

4. In Schedule 1 (maintenance orders to which this Act applies) to the Attachment of Earnings Act 1971 [M4] omit paragraph 14A.

Commencement Information

I4 Sch. para. 4 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M4 1971 c. 32; relevant amending instruments are S.I. 2011/1484, 2012/2814, 2014/605 (L. 9).

Amendment of the Maintenance Orders (Reciprocal Enforcement) Act 1972

5.—(1) The Maintenance Orders (Reciprocal Enforcement) Act 1972 [M5] is amended as follows.

(2) In section 4 (power of sheriff to make provisional maintenance order against person residing in reciprocating country)—

(a) for subsection (1) substitute—

"(1) In any action where the sheriff has jurisdiction by virtue of subsection (2) and the defender resides in a reciprocating country, any maintenance order granted by the sheriff shall be a provisional order.";

(b) after subsection (1) insert—

"(2) In matters relating to maintenance, a person may be sued in the courts for the place where the pursuer is domiciled or habitually resident or, if the matter is ancillary to proceedings concerning the status of a person, in the court which has jurisdiction to entertain those proceedings, provided than an action [F1]... of affiliation and aliment shall be treated as a matter relating to maintenance which is not ancillary to proceedings concerning the status of a person.";

(c) omit subsection (7).

(3) In section 35 (further provisions with respect to variation etc. of orders by the family court in England and Wales) omit—

(a) subsection (1B);

(b) subsection (4).

(4) In section 35A (further provisions with respect to variation etc of orders by magistrates' courts in Northern Ireland) omit—

(a) subsection (1B);

(b) subsection (4).

Textual Amendments

F1 Words in Sch. para. 5(2)(b) omitted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(a)

Commencement Information

I5 Sch. para. 5 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M5 1972 c. 18. Sections 35 and 35A were substituted by paragraph 16 of Schedule 1 to the Maintenance Orders (Reciprocal Enforcement) Act 1992 (c. 56). The other relevant amending instrument is S.I. 2012/2814.

Amendment of the Matrimonial Causes Act 1973

6.—(1) The Matrimonial Causes Act 1973 [M6] is amended as follows.

[[F2](2) In section 27 (financial provision orders in cases of neglect to maintain), for subsection (2) substitute—

"(2) The court may not entertain an application under this section unless—

(a) the applicant or the respondent is domiciled in England and Wales on the date of the application;

(b) the applicant has been habitually resident there throughout the period of one year ending with that date; or

(c) the respondent is resident there on that date.

(2A) If the application or part of it relates to a matter in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain that application or part of it except where permitted by Article 18.

(2B) In subsection (2A), "the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague.".**]**

(3) In section 35 (alteration of agreements by court during lives of parties)—

(a) in subsection (1), omit ", subject to subsections (1A) and (3) below,";

(b) omit subsection (1A).

(4) In section 52 (interpretation), in subsection (1), omit the definition of "the Maintenance Regulation".

Textual Amendments

F2 Sch. para. 6(2) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(b)

Commencement Information

I6 Sch. para. 6 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M6 1973 c. 18, amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Domicile and Matrimonial Proceedings Act 1973

7.—(1) The Domicile and Matrimonial Proceedings Act 1973 [M7] is amended as follows.

(2) In section 5 (jurisdiction of High Court and family court)—

(a) in subsection (1A)—

(i) omit the definition of "the Council Regulation";

(ii) omit the definition of "Contracting State";

(b) in subsection (2) for the words from "if)—" to the end substitute "if) on the date of the application—

"(a) both parties to the marriage are habitually resident in England and Wales;

(b) both parties to the marriage were last habitually resident in England and Wales and one of them continues to reside there;

(c) the respondent is habitually resident in England and Wales;

(d) the applicant is habitually resident in England and Wales and has resided there for at least one year immediately before the application was made;

(e) the applicant is domiciled and habitually resident in England and Wales and has resided there for at least six months immediately before the application was made;

(f) both parties to the marriage are domiciled in England and Wales; or

(g) either of the parties to the marriage is domiciled in England and Wales.";

(c) in subsection (3) for the words from "if)—" to the end substitute "if) on the date of the application—

"(a) both parties to the marriage are habitually resident in England and Wales;

(b) both parties to the marriage were last habitually resident in England and Wales and one of them continues to reside there;

(c) the respondent is habitually resident in England and Wales;

(d) the applicant is habitually resident in England and Wales and has resided there for at least one year immediately before the application was made;

(e) the applicant is domiciled and habitually resident in England and Wales and has resided there for at least six months immediately before the application was made;

(f) both parties to the marriage are domiciled in England and Wales; or

(g) either of the parties to the marriage—

(i) is domiciled in England and Wales; or

(ii) died before the application was made and either was at death domiciled in England and Wales or had been habitually resident in England and Wales throughout the period of one year ending with the date of death.";

(d) omit subsection (6A).

(3) In section 10 (ancillary and collateral orders) omit—

(a) subsection (1C);

(b) subsection (1D).

(4) In Schedule 1 (staying of matrimonial proceedings (England and Wales)), in paragraph 9(1), omit ", other than proceedings governed by the Council Regulation,".

Commencement Information

I7 Sch. para. 7 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M7 1973 c. 45. Section 5 was amended by paragraph 66 to Schedule 11 of Crime and Courts Act 2013 (c. 22) and S.I. 2001/310; 2005/265, section 10 was amended by S.I. 2011/1484 and schedule 1 was amended by S.I. 2001/310. There are other amending instruments but none is relevant.

Amendment of the Matrimonial Causes (Northern Ireland) Order 1978

8.—(1) The Matrimonial Causes (Northern Ireland) Order 1978 [M8] is amended as follows.

(2) In Article 2 (interpretation) omit the definition of "the Maintenance Regulation".

(3) In Article 37 (alteration of agreements by the court, or by a court of summary jurisdiction, during the lives of the parties)—

(a) in paragraph (1), for "paragraphs (1A) and" substitute " paragraph ";

(b) omit paragraph (1A).

(4) In Article 49 (jurisdiction of court)—

(a) in paragraph (2), for the words from "if)—" to the end substitute "if) on the date of the application—

"(a) both parties to the marriage are habitually resident in Northern Ireland;

(b) both parties to the marriage were last habitually resident in Northern Ireland and one of them continues to reside there;

(c) the respondent is habitually resident in Northern Ireland;

(d) the applicant is habitually resident in Northern Ireland and has resided there for at least one year immediately before the application was made;

(e) the applicant is domiciled and habitually resident in Northern Ireland and has resided there for at least six months immediately before the application was made;

(f) both parties to the marriage are domiciled in Northern Ireland; or

(g) either of the parties to the marriage is domiciled in Northern Ireland.";

(b) in paragraph (3), for the words from "if)—" to the end substitute "if) on the date of the application—

"(a) both parties to the marriage are habitually resident in Northern Ireland;

(b) both parties to the marriage were last habitually resident in Northern Ireland and one of them continues to reside there;

(c) the respondent is habitually resident in Northern Ireland;

(d) the applicant is habitually resident in Northern Ireland and has resided there for at least one year immediately before the application was made;

(e) the applicant is domiciled and habitually resident in Northern Ireland and has resided there for at least six months immediately before the application was made;

(f) both parties to the marriage are domiciled in Northern Ireland; or

(g) either of the parties to the marriage—

(i) is domiciled in Northern Ireland; or

(ii) died before the application was made and either was at death domiciled in Northern Ireland or had been habitually resident in Northern Ireland throughout the period of one year ending with the date of death.";

(c) omit paragraph (3A);

[[F3](d) for paragraph (5) substitute—

"(5) The court has jurisdiction to entertain an application for financial provision under Article 29 if (and only if)—

(a) the applicant or the respondent is domiciled in Northern Ireland on the date of the application;

(b) the applicant has been habitually resident there throughout the period of one year ending with that date; or

(c) the respondent is resident there on that date.

(5A) If the application or part of it relates to a matter in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain that application or part of it except where permitted by Article 18.";

(e) in paragraph (7), omit "Subject to Article 19(1) of the Council Regulation,";

(f) for paragraph (8) substitute—

"(8) In this Article "the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague."**]**

(5) In paragraph 9 of Schedule 1 (staying of matrimonial proceedings), in sub-paragraph (1), omit ", other than proceedings governed by the Council Regulation,".

Textual Amendments

F3 Sch. para. 8(4)(d)-(f) substituted for Sch. para. 8(4)(d)(e) (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(c)

Commencement Information

I8 Sch. para. 8 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M8 S.I. 1978/1045 (N.I. 15), relevant amending instruments are S.I. 2001/660, 2005/265, 2011/1484.

Amendment of the Domestic Proceedings (Northern Ireland) Order 1980

9. In Article 32 (jurisdiction) of the Domestic Proceedings (Northern Ireland) Order 1980 [M9]—

(a) in paragraph (1), omit "paragraph (1A) and to";

(b) omit paragraph (1A);

(c) omit paragraph (6).

Commencement Information

I9 Sch. para. 9 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M9 S.I. 1980/563 (N.I. 5). Article 32 was amended by paragraph 34 of Schedule 1 to the Family Law Act 1986 (c. 55), **paragraph 81** of Schedule 1 to the Justice Act (Northern Ireland) 2015 and S.I. 2011/1484. There are other amending instruments but none is relevant.

Amendment of the Magistrates' Courts (Northern Ireland) Order 1981

10.—(1) The Magistrates' Courts (Northern Ireland) Order 1981 [M10] is amended as follows.

(2) In Article 86 (revocation, suspension, variation, etc., of orders for periodical payments), in paragraph (1A), omit sub-paragraph (a).

(3) In Article 87 (remission of arrears and manner in which arrears to be paid)—

(a) in paragraph (1A), omit sub-paragraph (a);

(b) in paragraph (7), in the definition of "non-Northern Ireland maintenance order"—

(i) at the end of paragraph (b) insert " or ";

(ii) omit paragraph (d) and the "or" preceding it.

(4) In Article 88 (nature of domestic proceedings), in paragraph (a), omit "or under Council Regulation (EC) No 4/2009 including as applied in relation to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark".

(5) In Article 98 (enforcement of orders for periodical payment of money)—

(a) in paragraph (1A), omit sub-paragraph (a);

(b) in paragraph (11), omit sub-paragraph (bb);

(c) in paragraph (13), omit sub-paragraph (a).

Commencement Information

I10 Sch. para. 10 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M10 S.I. 1981/1675 (N.I. 26), amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Senior Courts Act 1981

11. In Schedule 1 (distribution of business in High Court) to the Senior Courts Act 1981 [M11] omit paragraph 3(f)(v).

Commencement Information

I11 Sch. para. 11 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M11 1981 c. 54. The Senior Courts Act 1981 was renamed by paragraph 1(1) of Schedule 11 to the Constitutional Reform Act 2005 (c. 4), the other relevant amending instrument is S.I. 2005/265.

Amendment of the Civil Jurisdiction and Judgments Act 1982

12.—(1) The Civil Jurisdiction and Judgments Act 1982 [M12] is amended as follows.

(2) In section 1 (interpretation of references to the Conventions and Contracting States)—

(a) in subsection (1), omit the definition of "the Maintenance Regulation";

(b) in subsection (3), omit the definition of "Maintenance Regulation State".

(3) In section 16 (allocation within UK of jurisdiction in certain civil proceedings), in subsection (4), omit "Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011,".

(4) In section 18 (enforcement of UK judgments in other parts of the UK), in subsection (7), omit "or by virtue of the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011".

(5) In section 20 (rules as to jurisdiction in Scotland), omit subsection (3)(b) and the "and" preceding it.

(6) In section 24 (interim relief and protective measures in cases of doubtful jurisdiction)—

(a) in subsection (1), omit paragraph (d);

(b) in subsection (2), omit paragraph (d).

(7) In section 25 (interim relief in England and Wales and Northern Ireland in the absence of substantive proceedings)—

(a) in subsection (1)—

(i) in paragraph (a), omit "or a Maintenance Regulation State";

(ii) in paragraph (b), omit—

(aa) "within the scope of the Maintenance Regulation as determined by Article 1 of that Regulation,";

(bb) ", the Maintenance Regulation,";

(b) in subsection (3)—

(i) in paragraph (a), omit "or a Maintenance Regulation State";

(ii) in paragraph (b), omit "the Maintenance Regulation as determined by Article 1 of that Regulation".

(8) In section 27 (provisional and protective measures in Scotland in the absence of substantive proceedings)—

(a) in subsection (2)—

(i) in paragraph (a), omit "in another Maintenance Regulation State,";

(ii) in paragraph (b), omit "is within scope of the Maintenance Regulation as determined by Article 1 of that Regulation or";

(b) in subsection (3)—

(i) in paragraph (a), omit "Maintenance Regulation State or";

(ii) in paragraph (b), omit "the Maintenance Regulation as determined by Article 1 of that Regulation or";

(iii) in paragraph (d), omit "Maintenance Regulation State".

(9) In section 28 (application of s 1 of Administration of Justice (Scotland) Act 1972), omit subsection (2).

(10) In section 32 (overseas judgments given in proceedings brought in breach of agreement for settlement of disputes), in subsection (4), in paragraph (a) omit "or the Maintenance Regulation".

(11) In section 33 (certain steps not to amount to submission to jurisdiction of overseas court), in subsection (2), omit "the Maintenance Regulation or".

(12) In section 48 (matters for which rules of court may provide)—

(a) in subsection (1), omit "the Maintenance Regulation,";

(b) in subsection (2), omit—

(i) paragraph (b);

(ii) paragraph (c);

(c) in subsection (3)—

(i) omit "the Maintenance Regulation,";

(ii) in paragraph (a), in both places, omit "Maintenance Regulation State or";

(iii) in paragraph (b), omit "Maintenance Regulation States or";

(iv) in paragraph (e), omit "Maintenance Regulation State or";

(v) in paragraph (g), omit "Maintenance Regulation States or".

(13) In section 50 omit the definitions of—

(a) "the Maintenance Regulation";

(b) "Maintenance Regulation State".

[[F4](14) In Schedule 8 (rules as to jurisdiction in Scotland), in paragraph 2, after sub-paragraph (d) insert—

"(e) in matters relating to maintenance, in the courts for the place where the maintenance creditor is domiciled or habitually resident or, if the matter is ancillary to proceedings concerning the status of a person, in the court which has jurisdiction to entertain those proceedings, provided that an action of affiliation and aliment shall be treated as a matter relating to maintenance which is not ancillary to proceedings concerning the status of a person;".**]**

Textual Amendments

F4 Sch. para. 12(14) inserted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(d)

Commencement Information

I12 Sch. para. 12 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

Marginal Citations

M12 1982 c. 27, amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Matrimonial and Family Proceedings Act 1984

13.—(1) The Matrimonial and Family Proceedings Act 1984 [M13] is amended as follows.

[[F5](2) In section 15 (jurisdiction of the court)—

(a) in subsection (1), for "subsections (1A) and (2)" substitute "subsection (1A)";

(b) in subsection (1A), for the words from "where" to "the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(c) in subsection (3), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

(3) In section 16 (duty of the court to consider whether England and Wales is appropriate venue for application)—

(a) in subsection (1), omit "Subject to subsection (3),";

(b) omit subsection (3);

(c) omit subsection (4).

[[F6](4) In section 28 (circumstances in which a Scottish court may entertain application for financial provision)—

(a) in subsection (1), for "subsections (3A) and (4)" substitute "subsection (3A)";

(b) in subsection (3A), for the words from "where" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(c) for subsection (5) substitute—

"(5) "The 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague."**]**

Textual Amendments

F5 Sch. para. 13(2) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(e)(i)

F6 Sch. para. 13(4) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(e)(ii)

Commencement Information

I13 Sch. para. 13 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M13 1984 c. 42, as amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Child Abduction and Custody Act 1985

14.—(1) The Child Abduction and Custody Act 1985 [M14] is amended as follows.

(2) In section 1 (the Hague Convention), omit—

(a) subsection (3);

(b) subsection (4).

(3) In section 12 (the European Convention), omit—

(a) subsection (3);

(b) subsection (4).

Commencement Information

I14 Sch. para. 14 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M14 1985 c. 60, amended by S.I. 2005/42, 2005/265.

Amendment of the Family Law Act 1986

15.—(1) The Family Law Act 1986 [M15] is amended as follows.

(2) In section 2 (jurisdiction: general)—

(a) in subsections (1)(a), (2C)(a) and (3)(a), omit "the Council Regulation or";

(b) in subsections (1)(b), (2C)(b) and (3)(b), for the words from "neither" to "applies" substitute " the Hague Convention does not apply ".

(3) In section 5 (power of court to refuse application or stay proceedings)—

(a) in subsection (2)—

(i) at the end of paragraph (b) insert " or ";

(ii) omit paragraph (c) and the "or" following it;

(iii) in the words after subsection (d), omit "Article 15 of the Council Regulation or";

(b) omit subsection (3A);

(c) in subsection (3B)—

(i) omit "or (3A)";

(ii) omit ", (3A)";

(d) in subsection (4), **[**[F7]for "Council Regulation" substitute "Hague Convention"**]**.

(4) In section 19 (jurisdiction: general)—

(a) in subsections (1)(a) and (3)(a), omit "the Council Regulation or";

(b) in subsections (1)(b) and (3)(b), for the words from "neither" to "applies" substitute " the Hague Convention does not apply ".

(5) In section 22 (power of court to refuse application or stay proceedings)—

(a) in subsection (2)—

(i) at the end of paragraph (b) insert " or ";

(ii) omit paragraph (c);

(iii) in the words after subsection (d), omit "Article 15 of the Council Regulation or";

(b) omit subsection (3A);

(c) in subsection (4), **[**[F8]for "Council Regulation" substitute "Hague Convention"**]**.

(6) In section 42 (general interpretation of Part I), in subsection (1), omit the definition of "the Council Regulation".

(7) In section 45—

(a) in subsection (1), omit "subsection (2) of this section and to";

(b) omit subsection (2).

(8) In section 54, in subsection (1), omit the definition of "the Council Regulation".

Textual Amendments

F7 Words in Sch. para. 15(3)(d) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(f)(i)

F8 Words in Sch. para. 15(5)(c) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(f)(ii)

Commencement Information

I15 Sch. para. 15 in force on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(1)

Marginal Citations

M15 1986 c. 55. Section (2C) was inserted by section 9(6) of the Children and Families Act 2014 (c. 6). The other relevant amending instruments are S.I. 1995/755, 2005/265, 2010/1898.

Amendment of the Debtors (Scotland) Act 1987

16.—(1) The Debtors (Scotland) Act 1987 [M16] is amended as follows.

(2) In section 54 (current maintenance arrestment to be preceded by default)—

(a) in subsection (1)(a)(i), omit “, (aa)”;

(b) in subsection (1)(a)(ii), omit “, (ga)”;

(c) in subsection (2)(a), omit “, (ga)”;

(d) omit subsection (5).

(3) In subsection 55 (review and termination of current maintenance arrestment), in subsection (9), omit “, (ga)”.

(4) In section 66 (recall and variation of conjoined arrestment order), in subsection (5), omit “, (ga)”.

(5) In section 73 (interpretation of Part III), in subsection (1), in the definition of “decree or other document”, omit paragraph (f).

(6) In section 73A (arrestment and action of furthcoming to proceed only on decree or document of debt), in subsection (4), in the definition of “document of debt”, omit paragraph (c).

(7) In section 106 (interpretation) omit—

(a) the definition of “the 2011 Regulations”;

(b) in the definition of “maintenance order”—

(i) paragraph (aa);

(ii) paragraph (ga);

(c) the definition of “the Maintenance Regulation”.

Commencement Information

I16 Sch. para. 16 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M16 1987 c. 18; relevant amending instruments are S.I. 2011/1484, S.S.I. 2012/301.

Amendment of the Children Act 1989

17.—(1) Schedule 1 (financial provision for children) to the Children Act 1989 [M17] is amended as follows.

[[F9](2) In paragraph 10 (alteration of maintenance agreements)—

(a) in sub-paragraph (2A), for the words from "where" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(b) in sub-paragraph (2B), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

[[F10](2A) In the italic heading before paragraph 14, omit "in relation to matters relating to maintenance".**]**

(3) For paragraph 14 (jurisdiction in matters relating to maintenance) substitute—

[[F11]"**14.**—(1) The court has jurisdiction in relation to an application under paragraph 1 in respect of a child if any of the following persons are habitually resident or domiciled in England and Wales on the date of the application—

(a) a parent of the child;

(b) a guardian or special guardian of the child;

(c) a person who is named in a child arrangements order as a person with whom the child is to live;

(d) the child.

(2) The court has jurisdiction in relation to an application under paragraph 2 if the applicant or a parent against whom the order is sought or made is habitually resident or domiciled in England and Wales on the date of the application."**]**.

Textual Amendments

F9 Sch. para. 17(2) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(g)

F10 Sch. para. 17(2A) inserted (31.12.2020 immediately before IP completion day) by The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/836), regs. 1, **2(2)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F11 Words in Sch. para. 17(3) substituted (31.12.2020 immediately before IP completion day) by The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/836), regs. 1, **2(2)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I17 Sch. para. 17 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M17 1989 c. 41; relevant amending instruments are S.I. 2011/1484, 2012/2814.

Amendment of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989

18.—(1) The Matrimonial and Family Proceedings (Northern Ireland) Order 1989 [M18] is amended as follows.

[[F12](2) In Article 19 (jurisdiction of the court)—

(a) in paragraph (1), for "paragraphs (1A) and (2)" substitute "paragraph (1A)";

(b) in paragraph (1A), for the words from "where" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(c) in paragraph (3), for the words from ""The Maintenance Regulation"" to the end substitute ""The 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

(3) In Article 20 (duty of the court to consider whether Northern Ireland is the appropriate venue for application)—

(a) in paragraph (1), omit "Subject to paragraph (3),";

(b) omit paragraph (3);

(c) omit paragraph (4).

Textual Amendments

F12 Sch. para. 18(2) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(h)

Commencement Information

I18 Sch. para. 18 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M18 S.I. 1989/677 (N.I. 4), amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Child Support Act 1991

19. In section 44 (jurisdiction) of the Child Support Act 1991 [M19] omit—

(a) subsection (4);

(b) subsection (5).

Commencement Information

I19 Sch. para. 19 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M19 1991 c. 48, amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Child Support (Northern Ireland) Order 1991

20. In Article 41 (jurisdiction) of the Child Support (Northern Ireland) Order 1991 [M20] omit—

(a) paragraph (4);

(b) paragraph (5).

Commencement Information

I20 Sch. para. 20 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M20 S.I. 1991/2628 (N.I. 23), amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Social Security Administration Act 1992

21. In section 108 (reduction of expenditure on income support: certain maintenance orders to be enforceable by the Secretary of State) of the Social Security Administration Act 1992 [M21]—

(a) in subsection (4), omit paragraph (aa);

(b) omit subsection (9).

Commencement Information

I21 Sch. para. 21 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M21 1992 c. 5. Section 108 was amended S.I. 2011/1484; section 108 is prospectively repealed by sections 9(3)(b) and 58(1) of and Schedule 7 to the Welfare Reform Act 2009 (c.24). There are other amending instruments but none is relevant.

Amendment of the Social Security Administration (Northern Ireland) Act 1992

22. In section 103 (reduction of expenditure on income support: certain maintenance orders to be enforceable by the Department) of the Social Security Administration (Northern Ireland) Act 1992 [M22]—

(a) in subsection (4), omit paragraph (aa);

(b) omit subsection (9).

Commencement Information

I22 Sch. para. 22 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M22 1992 c. 8. Section 103 was amended by S.I. 2011/1484; section 103 is prospectively repealed by sections 9(3)(b) and 34(1) of and Schedule 4 to the Welfare Reform (Northern Ireland) Act 2010 (c.13 (N.I.)). There are other amending instruments but none is relevant.

Amendment of the Children (Northern Ireland) Order 1995

23.—(1) Schedule 1 to the Children (Northern Ireland) Order 1995 [M23] is amended as follows.

[[F13](2) In paragraph 12 (alteration of maintenance agreements)—

(a) in sub-paragraph (2A), for the words from "where" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(b) in sub-paragraph (2B), for ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child

Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague”.**]**

[[F14](2A) In the italic heading before paragraph 16, omit “in relation to matters relating to maintenance”.**]**

(3) For paragraph 16 (jurisdiction in relation to matters relating to maintenance) substitute—

[[F15]“**16.**—(1) The court has jurisdiction in relation to an application under paragraph 2 in respect of a child if any of the following persons are habitually resident or domiciled in Northern Ireland on the date of the application—

(a) a parent of the child;

(b) a guardian of the child;

(c) a person in whose favour a residence order is in force with respect to the child;

(d) the child.

(2) The court has jurisdiction in relation to an application under paragraph 3 if the applicant or a parent against whom the order is sought or made is habitually resident or domiciled in Northern Ireland on the date of the application.”**]**.

Textual Amendments

F13 Sch. para. 23(2) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(i)

F14 Sch. para. 23(2A) inserted (31.12.2020 immediately before IP completion day) by The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/836), regs. 1, **2(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)

F15 Words in Sch. para. 23(3) substituted (31.12.2020 immediately before IP completion day) by The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) (No. 2) Regulations 2019 (S.I. 2019/836), regs. 1, **2(3)(b)**; 2020 c. 1, Sch. 5 para. 1(1)

Commencement Information

I23 Sch. para. 23 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M23 S.I. 1995/755 (N.I. 2), amended by S.I. 2011/1484.

Amendment of the Debt Arrangement and Attachment (Scotland) Act 2002

24. In section 10 (attachment) of the Debt Arrangement and Attachment (Scotland) Act 2002 [M24], in subsection (5)—

(a) omit the definition of “the 2011 Regulations”;

(b) in the definition of “document of debt”—

(i) for paragraph (c) substitute—

“(c) a court settlement or authentic instrument (within the meaning of Article 3 of the Hague Convention) which is registered in the sheriff court under the Hague Convention;”;

(ii) omit the definition of “the Maintenance Regulation” and the “and” which precedes it.

Commencement Information

I24 Sch. para. 24 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M24 2002 asp. 17, amended by S.S.I 2012/301.

Amendment of the Civil Partnership Act 2004

25.—(1) The Civil Partnership Act 2004 [M25] is amended as follows.

(2) In section 227 (Scottish ancillary and collateral orders)—

(a) in subsection (3), for "subsections (3A) and (3B)" substitute "subsection (3A)"**[**[F16]and at the end insert "This subsection is subject to subsection (3B)."**]**;

[[F17](b) in subsection (3B), for the words from "where" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part it except where permitted by Article18";

(c) in subsection (6), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

(3) In Schedule 5 (financial relief: provision corresponding to provision made by Part 2 of the Matrimonial Causes Act 1973), in Part 9 (failure to maintain: financial provision (and interim orders)), in paragraph 39 (circumstances in which orders under this Part may be made)—

(a) for sub-paragraph (2) substitute—

"(2) The court must not entertain an application under this paragraph unless–

(a) the applicant or the respondent is domiciled in England and Wales on the date of the application,

(b) the applicant has been habitually resident there throughout the period of 1 year ending with that date, or

(c) the respondent is resident there on that date.";

[[F18](b) after sub-paragraph (2) insert—

"(2A) If the application or part of it relates to a matter to which Article 18 of the 2007 Hague Convention applies, the court must not entertain the application or that part of it except where permitted by Article 18.";

(c) in sub-paragraph (5), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

(4) In Schedule 5, in Part 13 (consent orders and maintenance agreements), in paragraph 69 (alternation of agreements by court during lives of parties)—

(a) in sub-paragraph (1), omit "Subject to sub-paragraph (1A),";

(b) omit sub-paragraph (1A);

(c) omit sub-paragraph (7).

(5) In Schedule 6, in Part 8 (financial relief: provision corresponding to provision made by the Domestic Proceedings and Magistrates' Courts Act 1978: supplementary), in paragraph 47 (provisions as to jurisdiction and procedure), omit—

(a) sub-paragraph (1A);

(b) sub-paragraph (5).

(6) In Schedule 7 (financial relief in England and Wales after overseas dissolution etc. of a civil partnership), in Part 1 (financial relief) —

[[F19](a) in paragraph 7 (jurisdiction of the court)—

(i) in sub-paragraph (6), for the words from "where jurisdiction falls" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain that application or part of it except where permitted by Article 18";

(ii) in sub-paragraph (7), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

(b) in paragraph 8 (duty of the court to consider whether England and Wales is appropriate venue for application)—

(i) in sub-paragraph (2), omit "Subject to sub-paragraph (4),";

(ii) omit sub-paragraph (4);

(iii) omit sub-paragraph (5).

(7) In Schedule 11, in Part 2 (circumstances in which the court may entertain application for financial provision), in paragraph 2—

[[F20](a) in sub-paragraph (1), for "sub-paragraphs (3A) and (4)" substitute "sub-paragraph (3A)";

(b) in sub-paragraph (3A), for the words from "where" to the end substitute "in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(c) in sub-paragraph (5), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague".**]**

(8) In Schedule 15—

(a) in Part 8 (failure to maintain: financial provision (and interim orders)), in paragraph 34—

(i) for sub-paragraph (2) substitute—

"(2) The court must not entertain an application under this paragraph unless–

(a) the applicant or the respondent is domiciled in Northern Ireland on the date of the application,

(b) the applicant has been habitually resident there throughout the period of 1 year ending with that date, or

(c) the respondent is resident there on that date.";

[[F21](ii) after sub-paragraph (2) insert—

"(2A) If the application or part of it relates to a matter to which Article 18 of the 2007 Hague Convention applies, the court must not entertain the application or that part of it except where permitted by Article 18.";

(iii) in sub-paragraph (5), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague";**]**

(b) in Part 12 (consent orders and maintenance agreements), in paragraph 62—

(i) in sub-paragraph (1), omit "Subject to sub-paragraph (1A),";

(ii) omit sub-paragraph (1A);

(iii) omit sub-paragraph (7).

(9) In Schedule 17 (financial relief in Northern Ireland after overseas dissolution etc of a civil partnership), in Part 1 (financial relief)—

[[F22](a) in paragraph 7—

(i) in sub-paragraph (6), for the words from "where jurisdiction falls" to the end substitute "to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18";

(ii) in sub-paragraph (7), for the words from ""the Maintenance Regulation"" to the end substitute ""the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague";**]**

(b) in paragraph 8—

(i) in sub-paragraph (2), omit "Subject to sub-paragraph (4),";

(ii) omit sub-paragraph (4);

(iii) omit sub-paragraph (5).

Textual Amendments

F16 Words in Sch. para. 25(2)(a) inserted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(i)(aa)

F17 Sch. para. 25(2)(b)(c) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(i)(bb)

F18 Sch. para. 25(3)(b)(c) substituted for Sch. para. 25(3)(b) (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(ii)

F19 Sch. para. 25(6)(a) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(iii)

F20 Sch. para. 25(7)(a)-(c) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(iv)

F21 Sch. para. 25(8)(a)(ii)(iii) substituted for Sch. para. 25(8)(a)(ii) (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(v)

F22 Sch. para. 25(9)(a) substituted (17.12.2020) by The Jurisdiction, Judgments and Applicable Law (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1574), regs. 1, 5(3)(j)(vi)

Commencement Information

I25 Sch. para. 25 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M25 2004 c. 33, amended by S.I. 2011/1484.

Amendment of the Mental Capacity Act 2005

26. In Schedule 3 (international protection of adults) to the Mental Capacity Act 2005 [M26], in paragraph 4(2) omit—

(a) "either of";

(b) paragraph (b).

Commencement Information

I26 Sch. para. 26 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M26 2005 c. 9, amended by S.I. 2010/1898.

Amendment of the Bankruptcy and Diligence etc. (Scotland) Act 2007

27. In section 221 (interpretation) of the Bankruptcy and Diligence etc. (Scotland) Act 2007 [M27] omit—

(a) the definition of "the 2011 Regulations";

(b) in the definition of "document of debt" omit paragraph (d);

(c) the definition of "the Maintenance Regulation".

Commencement Information

I27 Sch. para. 27 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M27 2007 asp. 3, amended by S.S.I 2012/301.

Amendment of the Legal Aid, Sentencing and Punishment of Offenders Act 2012

28. In the Legal Aid, Sentencing and Punishment of Offenders Act 2012 [M28], in Schedule 1 (civil legal services), in Part 1 (services)—

(a) in paragraph 17 (EU and international agreements concerning children), in the heading, for "EU" substitute " Transitional EU arrangements ";

(b) in paragraph 18 (EU and international agreements concerning maintenance), in the heading, for "EU" substitute " Transitional EU arrangements ".

Commencement Information

I28 Sch. para. 28 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M28 2012 c. 10.

Amendment of the Mental Capacity Act (Northern Ireland) 2016

29. In Schedule 9 (international protection of adults) to the Mental Capacity Act (Northern Ireland) 2016 [M29], in paragraph 6(1)—

(a) omit "either of";

(b) omit paragraph (b).

Commencement Information

I29 Sch. para. 29 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M29 2016 c. 18 (N.I.).

PART 2

Amendment of secondary legislation

Amendment of the Recovery Abroad of Maintenance (Convention Countries) Order 1975

30. In the Schedule to the Recovery Abroad of Maintenance (Convention Countries) Order 1975 [M30]—

(a) after Croatia, insert " Denmark ";

(b) at the end, for "special provision about Norway" substitute " special provision about Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands (Kingdom in Europe), Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden ".

Commencement Information

I30 Sch. para. 30 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M30 S.I. 1975/423, amended by S.I. 2012/2814; there are other amending instruments but none is relevant.

Amendment of the Reciprocal Enforcement of Maintenance Orders (Hague Convention Countries) Order 1993

31.—(1) The Reciprocal Enforcement of Maintenance Orders (Hague Convention Countries) Order 1993 [M31] is amended as follows.

(2) In Schedule 1—

(a) after Australia, insert " Denmark ";

(b) at the end, for "special provision about Norway" substitute " special provision about Federal Republic of Germany, Finland, France, Italy, Luxembourg, Netherlands, Norway, Portugal, Republic of Estonia, Republic of Poland, Slovakia, Spain, Sweden and the Czech Republic ".

(3) Schedule 2 (modifications to Part I of the Act) is amended as follows.

(4) In paragraph 3—

(a) in sub-paragraph (2), in subsection 3(1)(b) of the substituted text, for " the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 " substitute "the Domestic Proceedings and Magistrates' Courts Act 1978 or the Children Act 1989 if at any time when the proceedings were instituted that person was residing in England and Wales, and received reasonable notice of the date of the hearing of the application.";

(b) for sub-paragraph (6), substitute—

"(6) In subsection (7)—

(a) after the words "a magistrates' court" insert the words " by a person who is habitually resident in Northern Ireland ";

(b) for the word "reciprocating" substitute the words " Hague Convention ".".

(5) At paragraph 4 insert—

"(1) Section 4 is amended as follows.

(2) For subsection (1) substitute—

"(1) The sheriff has jurisdiction in any action to which this section applies if at the time when the proceedings were instituted—

(a) the pursuer is habitually resident in Scotland and resides within the jurisdiction of the sheriff;

(b) the sheriff is satisfied that, to the best of the information or belief of the pursuer, the defender is residing in a Hague Convention country; and

(c) the sheriff would not, apart from this subsection, have jurisdiction in that action.

(2) This section applies to any action for the payment, variation or revocation of aliment which is competent in the sheriff court, and includes an action of affiliation and aliment, but does not apply to an action of separation and aliment or adherence and aliment, or any action containing a crave for the custody of a child."

(3) In subsection (3), for the words "referred to in" substitute " in which the sheriff has jurisdiction by virtue of ".

(4) For subsection (4) substitute—

"(4) In any action in which the sheriff has jurisdiction by virtue of subsection (1) above, no decree shall be granted in favour of the pursuer unless a copy of the initial writ or summons has been served on the defender in the prescribed manner and in sufficient time to enable him to arrange for his defence."

(5) Omit subsections (5) and (6).".

(6) In paragraph 5, in the substituted text—

(a) in subsection 5(1), omit ", and in relation to which the court has jurisdiction to entertain proceedings for revocation and variation of that order by virtue of the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011";

(b) after subsection 5(1) insert—

"(2) The jurisdiction of a court to revoke or vary a maintenance order shall be exercisable notwithstanding that the proceedings for the revocation or variation, as the case may be, of the order are brought by or against a person residing in a Hague Convention country.".

(7) In paragraph 9—

(a) in sub-paragraph (2), in the substituted text, after subsection (1)(a) insert—

"(b) The jurisdiction of a court to vary the method of payment of a registered order shall be exercisable notwithstanding that the proceedings for the variation of the order are brought by or against a person residing in a Hague Convention country.";

(b) in sub-paragraph (4), in the substituted text—

(i) after section 9(1) insert—

"(2) The registering court may not vary a registered order unless—

(a) the payer under the order had his habitual residence in the United Kingdom at the time when the proceedings to vary the order were instituted; or

(b) the respondent in those proceedings had submitted to the jurisdiction of the registering court, either expressly or by defending on the merits of the case without objecting to the jurisdiction.";

(ii) omit subsection (8A).

(8) For paragraph 17 substitute—

"(1) Section 17 is amended as follows.

(2) In subsection (5A) for the word "reciprocating" substitute the words " Hague Convention ".

(3) For subsections (6) and (7) substitute—

"(6) A magistrates' court in Northern Ireland shall have jurisdiction to hear a complaint for the variation or revocation—

(a) of a maintenance order made by such a court, and to which section 5 of this Act applies, or

(b) to hear a complaint for the variation of a registered order which is registered in that court,"

if the defendant to the complaint is residing in a Hague Convention country and if the court would have had jurisdiction to hear the complaint had the defendant been residing in Northern Ireland and been served with a summons to appear before the court to answer the complaint.

"(7) Where the respondent to an application—

(a) for the variation or revocation of a maintenance order made by a court, and to which section 5 of this Act applies; or

(b) for the variation of a registered order registered in a court, does not appear at the time and place appointed for the hearing on the application, but the court is satisfied that the respondent is residing in a Hague Convention country and the requirements of section 5(4), (6) or (7) or section 9(3), as the case may be, have been complied with, the court may proceed to hear and determine the application at the time and place appointed for the hearing or for any adjourned hearing as if the respondent had appeared at that time and place."

. "

(9) In paragraph 21, in sub-paragraph (2), in the substituted text, omit paragraph (ea).

(10) Schedule 3 (Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972) (as it has effect as set out in that Schedule) is amended as follows.

(11) In the modified subsection 3(1)(b), for "the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011" substitute "the Domestic Proceedings and Magistrates' Courts Act 1978 or the Children Act 1989 if at any time when the

proceedings were instituted that person was residing in England and Wales, and received reasonable notice of the date of the hearing of the application.”.

(12) At the modified section 4 insert—

“**4.** Power of sheriff to make maintenance order against person residing in Hague Convention country.

(1) The sheriff shall have jurisdiction in any action to which this section applies if at the time when the proceedings were instituted—

(a) the pursuer is habitually resident in Scotland and resides within the jurisdiction of the sheriff;

(b) the sheriff is satisfied that, to the best of the information or belief of the pursuer, the defender is residing in a Hague Convention country; and

(c) the sheriff would not, apart from this subsection, have jurisdiction in that action.

(2) This section applies to any action for the payment, variation or revocation of aliment which is competent in the sheriff court, and includes an action of affiliation and aliment, but does not include an action of separation and aliment or adherence and aliment, or any action containing a crave for the custody of a child.

(3) Where in any action in which the payment of aliment in respect of a child is claimed, being an action in which the sheriff has jurisdiction by virtue of subsection (1) above, the sheriff is satisfied—

(a) that there are grounds on which a maintenance order containing a provision requiring the payment of aliment in respect of that child may be made in that action, but

(b) that he has no power to make that order unless he also makes an order providing for the custody of the child,

then, for the purpose of enabling the sheriff to make the maintenance order, the pursuer shall be deemed to be a person to whom the custody of the child has been committed by a decree of the sheriff which is for the time being in force.

(4) In any action in which the sheriff has jurisdiction by virtue of subsection (1) above, no decree shall be granted in favour of the pursuer unless a copy of the initial writ or summons has been served on the defender in the prescribed manner and in sufficient time to enable him to arrange for his defence.”.

(13) In the modified section 5—

(a) in subsection (1), omit “, and in relation to which the court has jurisdiction to entertain proceedings for revocation and variation of that order by virtue of the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011”;

(b) after subsection (1) insert—

“(2) The jurisdiction of a court to revoke or vary a maintenance order shall be exercisable notwithstanding that the proceedings for the revocation or variation, as the case may be, of the order are brought by or against a person residing in a Hague Convention country.”.

(14) In the modified section 9—

(a) after subsection (1)(a) insert—

“(b) the jurisdiction of a court to vary the method of payment of a registered order be exercisable notwithstanding that the proceedings for the variation of the order are brought by or against a person residing in a Hague Convention country.”;

(b) after subsection (1) insert—

"(2) The registering court may not vary a registered order unless—

(a) the payer under the order is habitually resident in the United Kingdom at the time when the proceedings to vary the order were instituted; or

(b) the respondent in those proceedings had submitted to the jurisdiction of the registered court, either expressly or by defending on the merits of the case without objecting to the jurisdiction.";

(c) omit subsection (8A).

(15) In the modified section 17, after subsection (4) insert—

"(5A) Where the respondent to an application for the variation or revocation of—

(a) a maintenance order made by the family court, being an order to which section 5 of this Act applies; or

(b) a registered order which is registered in the family court,

is residing in a Hague Convention country, the family court shall have jurisdiction to hear the application (where it would not have such jurisdiction apart from this subsection) if it would have had jurisdiction to hear it had the respondent been habitually resident in England and Wales.

(6) A magistrates' court in Northern Ireland has jurisdiction to hear a complaint for the variation or revocation—

(a) of a maintenance order made by such a court, and to which section 5 of this Act applies, or

(b) to hear a complaint for the variation of a registered order which is registered in that court,

if the defendant to the complaint is residing in a Hague Convention country and if the court would have had jurisdiction to hear the complaint had the defendant been residing in Northern Ireland and been served with a summons to appear before the court to answer the complaint.

(7) Where the respondent to an application—

(a) for the variation or revocation of a maintenance order made by a court, and to which section 5 of this Act applies; or

(b) for the variation of a registered order registered in a court, does not appear at the time and place appointed for the hearing on the application, but the court is satisfied that the respondent is residing in a Hague Convention country and the requirements of section 5(4), (6) or (7) or section 9(3), as the case may be, have been complied with, the court may proceed to hear and determine the application at the time and place appointed for the hearing or for any adjourned hearing as if the respondent had appeared at that time and place.".

(16) In the modified section 21, in subsection (1), omit the definition of "the Maintenance Regulation".

Commencement Information

I31 Sch. para. 31 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M31 S.I. 1993/593; relevant amending instruments are S.I. 1999/1318, 2011/1484, 2014/879.

Revocation of the European Communities (Matrimonial Jurisdiction and Judgments) Regulations 2001

32. The European Communities (Matrimonial Jurisdiction and Judgments) Regulations 2001 [M32] are revoked.

Commencement Information
I32 Sch. para. 32 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations
M32 S.I. 2001/310.

Revocation of the European Communities (Matrimonial Jurisdiction and Judgments) (Northern Ireland) Regulations 2001

33. The European Communities (Matrimonial Jurisdiction and Judgments) (Northern Ireland) Regulations 2001 [M33] are revoked.

Commencement Information
I33 Sch. para. 33 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations
M33 S.I. 2001/660.

Amendment of the Civil Legal Aid (Scotland) Regulations 2002

34. In regulation 46 of the Civil Legal Aid (Scotland) Regulations 2002 [M34] omit—

(a) sub-paragraph (1)(c);

(b) paragraph (4).

Commencement Information
I34 Sch. para. 34 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations
M34 S.S.I. 2002/494, amended by S.S.I. 2011/161, **S.I**. 2011/1484, S.S.I. 2012/301.

Revocation of the European Communities (Jurisdiction and Judgments in Matrimonial and Parental Responsibility Matters) Regulations 2005

35. The European Communities (Jurisdiction and Judgments in Matrimonial and Parental Responsibility Matters) Regulations 2005 [M35] are revoked.

Commencement Information
I35 Sch. para. 35 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations
M35 S.I. 2005/265.

Amendment of the Armed Forces (Forfeitures and Deductions) Regulations 2009

36.—(1) The Armed Forces (Forfeitures and Deductions) Regulations 2009 [M36] is amended as follows.

(2) In regulation 2, omit the definition of "the Maintenance Regulation".

(3) In regulation 8, omit—

(a) paragraph (2A);

(b) in paragraph (5), "(2A) or";

(c) in paragraph (10), sub-paragraph (a)(v).

(4) In regulation 9, omit sub-paragraph (2)(c).

(5) In regulation 11, in paragraph (2)(b), for ", 8(2) or 8(2A)" substitute " or 8(2) ".

Commencement Information
I36 Sch. para. 36 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations
M36 S.I. 2009/1109, amended by S.I. 2011/1484; there are other amending instruments but none is relevant.

Amendment of the Parental Responsibility and Measures for the Protection of Children (International Obligations) (England and Wales and Northern Ireland) Regulations 2010

37.—(1) The Parental Responsibility and Measures for the Protection of Children (International Obligations) (England and Wales and Northern Ireland) Regulations 2010 [M37] are amended as follows.

(2) In regulation 2 (interpretation)—

(a) omit the definition of "the Council Regulation";

(b) omit the definition of "member State".

(3) In regulation 5 (local authorities: application for interim care order or supervision order)—

(a) in paragraph (1)—

(i) at the end of sub-paragraph (b)(i) insert " or ";

(ii) omit sub-paragraph (b)(iii) and the "or" which precedes it;

(b) in paragraph (2)—

(i) in sub-paragraph (a), in the substituted subsection (1)(a) and (b) of section 38 of the Children Act 1989, omit sub-paragraph (b)(iii) and the " or " which precedes it;

(ii) in sub-paragraph (d), in the substituted subsection (4)(c) to (e) of section 38 of the Children Act 1989, omit sub-paragraph (d).

(4) In regulation 6 (Northern Ireland authorities: application for interim care order or supervision order)—

(a) in paragraph (1), omit sub-paragraph (b)(iii) and the "or" which precedes it;

(b) in paragraph (2)—

(i) in sub-paragraph (a), in the substituted paragraph (1)(a) and (b) of Article 57 of the Children (Northern Ireland) Order 1995, omit sub-paragraph (b)(iii) and the " or " which precedes it;

(ii) in sub-paragraph (d), in the substituted paragraph (4)(c) and (e) of Article 57 of the Children (Northern Ireland) Order 1995, omit sub-paragraph (d).

(5) Omit regulation 7 (application of Article 15).

(6) Omit regulation 11 (requests for information under the Council Regulation).

(7) In regulation 13 (local authorities and Northern Ireland authorities: requirement to provide a report)—

(a) in paragraph (1), omit sub-paragraph (b) and the "or" which precedes it;

(b) in paragraph (2), omit—

(i) "or Articles 8 to 14 of the Council Regulation, as the case may be";

(ii) sub-paragraph (b) and the "or" which precedes it.

Commencement Information

I37 Sch. para. 37 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M37 S.I. 2010/1898.

Amendment of the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011

38.—(1) The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 [M38] are amended as follows.

(2) Omit regulations 2 to 5.

(3) In regulation 6 for "Act" substitute " Civil Jurisdiction and Judgments Act 1982 ".

(4) Omit regulations 7 and 8.

(5) Omit regulation 10.

(6) Omit Schedules 1 to 3.

(7) In Schedule 4 (amendments to the Civil Jurisdiction and Judgments Act 1982) omit paragraphs 5 to 10.

(8) Omit Schedules 5 and 6.

Commencement Information

I38 Sch. para. 38 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M38 S.I. 2011/1484, amended by S.I. 2012/2814, 2014/879, 2015/1489, 2016/317.

Amendment of the International Recovery of Maintenance (Hague Convention 2007 etc) Regulations 2012

39.—(1) The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012 [M39] are amended as follows.

(2) In regulation 3, omit the definition of "the Maintenance Regulation" and the "and" which precedes it.

(3) In regulation 5, omit "which are not European Union Member States".

(4) For the heading of regulation 9 substitute " Further amendments ".

(5) In regulation 9, omit "relating to the Maintenance Regulation".

(6) In regulation 10, in paragraph (2), for "Member States" substitute " Contracting States ".

(7) In Schedule 1 (recognition and enforcement of non-EU maintenance decisions and establishment and modification of maintenance obligations under the Convention)—

(a) in the heading, omit "non-EU";

(b) in paragraph 1(1), in the definition of "Contracting State" omit "other than an EU Member State";

(c) in paragraph 7(2)(a), omit "the Maintenance Regulation and".

(8) In paragraph 1 of Schedule 2 (enforcement of international maintenance orders – driving disqualification orders) omit "(c) the Maintenance Regulation".

(9) In Schedule 4 (consequential amendments)—

(a) in paragraph 7 (Recovery Abroad of Maintenance (Convention Countries) Order 1975)—

(i) in sub-paragraph (3) after "Norway is" insert " , and so are Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands (Kingdom in Europe), Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden, ";

(ii) in sub-paragraph (4)—

(aa) after "Norway is" insert " , and so are Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands (Kingdom in Europe), Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden, ";

(bb) in sub-subparagraph (b), omit "as it applies in the United Kingdom by virtue of any declaration made by the European Union pursuant to Article 2(3) of that Convention";

(iii) in sub-paragraph (5), in definition of "the 2007 Hague Convention" for "European Union" substitute " United Kingdom ";

(b) in paragraph 8, (Reciprocal Enforcement of Maintenance Orders (Hague Convention Countries) Order 1993)—

(i) in sub-paragraph (4)—

(aa) after "Norway is" insert " , and so are Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands (Kingdom in Europe), Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden, ";

(bb) in sub-subparagraph (b), after "Norway", in each place that it occurs, insert " , Austria, Belgium, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Netherlands (Kingdom in Europe), Poland, Portugal, Romania, Slovakia, Slovenia, Spain or Sweden, ";

(cc) omit "as it applies in the United Kingdom by virtue of any declaration made by the European Union pursuant to Article 2(3) of that Convention";

(ii) in sub-paragraph (5), in the definition of "the 2007 Hague Convention" for "European Union" substitute " United Kingdom ".

(10) In Schedule 5 (amendments relating to the Maintenance Regulation)—

(a) in paragraph 4 (Recovery Abroad of Maintenance (Convention Countries) Order 1975), omit subparagraphs (2) and (3);

(b) in paragraph 5 (Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 1975—

(i) for sub-paragraph (2) substitute—

"(2) Despite sub-paragraph (1), Malta is to continue to be treated as a reciprocating country for the purposes of Part 1 of the Act—

(a) in relation to any matter relating to maintenance which is—

(i) within scope of the Act, and

(ii) not within scope of the 2007 Hague Convention";

(b) in accordance with Article 56(2) of the 2007 Hague Convention, in relation to an application for recognition and enforcement of a maintenance decision given in Malta before the entry into force of that Convention for Malta where—

(i) the conditions of recognition and enforcement under the 2007 Hague Convention prevent the recognition and enforcement of the decision, and

(ii) but for sub-paragraph (1), the decision would have been recognised and enforced under Part 1 of the Act;

(c) in relation to—

(i) the enforcement or variation of a registered order pursuant to section 8 or 9 of the Act;

(ii) the cancellation of the registration, or the transfer, of a registered order pursuant to section 10 of the Act;

(iii) steps taken by the Lord Chancellor or the Secretary of State pursuant to section 11 of the Act in relation to a registered order.";

(ii) in paragraph (3), after "1972" insert " ; and "the 2007 Hague Convention" means the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007 ";

(c) omit paragraph 8 (Civil Jurisdiction and Judgments Maintenance Regulations 2011).

Commencement Information

I39 Sch. para. 39 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M39 S.I. 2012/2814, to which there are amendments not relevant to these Regulations.

Amendment of the International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations (Northern Ireland) 2012

40.—(1) The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations (Northern Ireland) 2012 [M40] are amended as follows.

(2) In regulation 2, omit the definition of "the Maintenance Regulation" and the "and" which precedes it.

(3) In regulation 4, omit "which are not European Union Member States".

(4) For the heading of regulation 8 substitute " Further amendments ".

(5) In regulation 8, omit "relating to the Maintenance Regulation".

(6) In Schedule 1 (recognition and enforcement of non-EU maintenance decisions, and establishment and modification of maintenance obligations under the Convention)—

(a) in the heading, omit "non-EU";

(b) in paragraph 1(1), in the definition of "Contracting State" omit "other than an EU Member State";

(c) in paragraph 7, in sub-paragraph (2)(a) omit "by virtue of the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction Judgments (Maintenance) Regulations 2011".

(7) In paragraph 1 of Schedule 2 (enforcement of international maintenance orders – driving disqualification orders) omit "(e) the Maintenance Regulation; or (f)".

(8) In Schedule 4—

(a) in paragraph 7, in sub-paragraph (4)(b), omit ", as it applies in the United Kingdom by virtue of any declaration made by the European Union pursuant to Article 2(3) of that Convention";

(b) in paragraph 8, in sub-paragraph (5) in the definition of "the 2007 Hague Convention" omit ", as it applies in the United Kingdom by virtue of any declaration made by the European Union pursuant to Article 2(3) of that Convention".

(9) For the heading of Schedule 5 (amendments relating to the Maintenance Regulation) substitute " Further amendments ".

Commencement Information

I40 Sch. para. 40 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M40 S.I. 2012/413, to which there are amendments not relevant to these Regulations.

The Civil Legal Aid (Merits Criteria) Regulations 2013

41.—(1) The Civil Legal Aid (Merits Criteria) Regulations 2013 [M41] are amended as follows.

(2) In regulation 2 (interpretation), in the definition of "family dispute"—

(a) in paragraph (j), for "EU", substitute " Transitional EU arrangements ";

(b) in paragraph (k), for "EU", substitute " Transitional EU arrangements ".

(3) In regulation 11 (qualifying for civil legal services), in paragraph (9) sub-paragraph (b) for "EU" (where it occurs within the parentheses), substitute " Transitional EU arrangements ".

(4) In regulation 64 (standard criteria for determinations for full representation in relation to certain family disputes), in paragraph (2)—

(a) in sub-paragraph (d) for "EU", substitute " Transitional EU arrangements ";

(b) in sub-paragraph (e) for "EU", substitute " Transitional EU arrangements ".

(5) In regulation 65 (criteria for determinations for full representation in relation to special Children Act 1989 cases and certain cases relating to EU and international agreements)—

(a) in the title, for "EU", substitute " Transitional EU arrangements ";

(b) in paragraph (2)—

(i) in sub-paragraph (b)(i), for "EU", substitute " Transitional EU arrangements ";

(ii) in sub-paragraph (b)(ii), for "EU", substitute " Transitional EU arrangements ".

(6) In regulation 68 (criteria for determinations for full representation in relation to private law children cases and certain cases relating to EU and international agreements)—

(a) in the title, for "EU", substitute " Transitional EU arrangements ";

(b) in paragraph (3)—

(i) in sub-paragraph (b), for "EU", substitute " Transitional EU arrangements ";

(ii) in sub-paragraph (c), for "EU", substitute " Transitional EU arrangements ".

Commencement Information

I41 Sch. para. 41 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M41 S.I. 2013/104; relevant amending instruments are S.I. 2014/131, 2015/1571, 2016/781.

Amendments to the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013

42.—(1) The Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013 [M42] are amended as follows.

(2) In regulation 5 (exceptions from requirement to make a determination in respect of an individual's financial resources), in paragraph (1)—

(a) in sub-paragraph(h), for "EU", substitute " Transitional EU arrangements ";

(b) in sub-paragraph (ha), for "EU", substitute " Transitional EU arrangements ";

(c) in sub-paragraph (i)(i), for "EU", substitute " Transitional EU arrangements ";

(d) in sub-paragraph (i)(ii), for "EU", substitute " Transitional EU arrangements ";

(e) in sub-paragraph (k), for "EU", substitute " Transitional EU arrangements ".

(3) In regulation 16 (resources to be treated as the individual's resources), in paragraph (7), within the definition of "family proceedings"—

(a) in sub-paragraph (a)(x) within that definition, for "EU", substitute " Transitional EU arrangements ";

(b) in sub-paragraph (a)(xi) within that definition, for "EU", substitute " Transitional EU arrangements ".

Commencement Information

I42 Sch. para. 42 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see **reg. 1(1)**

Marginal Citations

M42 S.I. 2013/480; relevant amendment instruments are S.I. 2013/753, 2014/812, 2014/2701.

Changes to legislation:
There are currently no known outstanding effects for the The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019, SCHEDULE .