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DRAFT STATUTORY INSTRUMENTS

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**2019 No.**

**The Jurisdiction and Judgments (Family)  
(Amendment etc.) (EU Exit) (No. 2) Regulations 2019**

**Amendment of the Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019**

2.—(1) The Schedule to the Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019<sup>(1)</sup> is amended as follows.

(2) In paragraph 17 (amendment of the Children Act 1989)—

(a) after sub-paragraph (2), insert—

“(2A) In the italic heading before paragraph 14, omit “in relation to matters relating to maintenance”.”;

(b) in sub-paragraph (3), for the substituted paragraph 14, substitute—

“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.”.

(3) In paragraph 23 (amendment of the Children (Northern Ireland) Order 1995)—

(a) after sub-paragraph (2), insert—

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

(b) in sub-paragraph (3), for the substituted paragraph 16, substitute—

“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.”