

SCHEDULES

SCHEDULE 11

JURISDICTION

PART II

CONSEQUENTIAL AMENDMENTS

The Administration of Justice Act 1964 (c. 42)

- 5 In section 38 of the Administration of Justice Act 1964 (interpretation), the definition of “domestic court”, which is spent, shall be omitted.

The Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

- 6 In the Domestic Proceedings and Magistrates' Courts Act 1978—
- (a) for the words “domestic proceedings”, wherever they occur in sections 16(5)(c) and 88(1), there shall be substituted “family proceedings”;
 - (b) for the words “domestic court panel”, wherever they occur in section 16(5)(b), there shall be substituted “family panel”.

The Justices of the Peace Act 1979 (c. 55)

- 7 In the Justices of the Peace Act 1979—
- (a) for the words “domestic proceedings”, wherever they occur in section 16(5), there shall be substituted “family proceedings”;
 - (b) for the words “domestic court”, wherever they occur in section 17(3), there shall be substituted “family proceedings court”;
 - (c) for the words “domestic courts”, wherever they occur in sections 38(2) and 58(1) and (5), there shall be substituted “family proceedings courts”.

The Magistrates' Courts Act 1980 (c. 43)

- 8 In the Magistrates' Courts Act 1980—
- (a) in section 65(1) (meaning of family proceedings), the following paragraph shall be inserted after paragraph (m)—
“*(n) the Children Act 1989*”;
 - (b) in section 65(2)(a) for the words “and (m)” there shall be substituted “(m) and (n)”;
 - (c) for the words “domestic proceedings”, wherever they occur in sections 65(1), (2) and (3), 66(1) and (2), 67(1), (2) and (7), 69(1), (2), (3) and (4), 70(2) and (3), 71(1) and (2), 72(1), 73, 74(1), 121(8) and 150(1), there shall be substituted “family proceedings”;

Status: This is the original version (as it was originally enacted).

- (d) for the words “domestic court panel”, wherever they occur in sections 66(2), 67(2), (4), (5), (7) and (8) and 68(1), (2) and (3), there shall be substituted “family panel”;
- (e) for the words “domestic court panels”, wherever they occur in section 67(3), (4), (5) and (6), there shall be substituted “family panels”;
- (f) for the words “domestic courts”, wherever they occur in sections 67(1) and (3) and 68(1), there shall be substituted “family proceedings courts”;
- (g) for the words “domestic court”, wherever they occur in section 67(2) and (5), there shall be substituted “family proceedings court”.

The Supreme Court Act 1981 (c. 54)

- 9 In paragraph 3 of Schedule 1 to the Supreme Court Act 1981 (distribution of business to the Family Division of the High Court), the following sub-paragraph shall be added at the end—

“(e) proceedings under the Children Act 1989”.

The Matrimonial and Family Proceedings Act 1984 (c. 42)

- 10 In section 44 of the Matrimonial and Family Proceedings Act 1984 (domestic proceedings in magistrates' courts to include applications to alter maintenance agreements) for the words “domestic proceedings”, wherever they occur, there shall be substituted “family proceedings”.

The Insolvency Act 1986 (c. 45)

- 11 (1) In section 281(5)(b) of the Insolvency Act 1986 (discharge not to release bankrupt from bankruptcy debt arising under any order made in family proceedings or in domestic proceedings), the words “or in domestic proceedings” shall be omitted.
- (2) In section 281(8) of that Act (interpretation), for the definitions of “domestic proceedings” and “family proceedings” there shall be substituted—
- “family proceedings” means—
- (a) family proceedings within the meaning of the Magistrates' Courts Act 1980 and any proceedings which would be such proceedings but for section 65(1)(ii) of that Act (proceedings for variation of order for periodical payments); and
 - (b) family proceedings within the meaning of Part V of the Matrimonial and Family Proceedings Act 1984.