



Courts and Legal Services Act 1990

1990 CHAPTER 41

PART I

PROCEDURE ETC. IN CIVIL COURTS

Family proceedings

9 Allocation of family proceedings which are within the jurisdiction of county courts.

- (1) [^{F1}The President of the Family Division may, after consulting the Lord Chancellor,] give directions that, in such circumstances as may be specified—
 - (a) any family proceedings which are within the jurisdiction of county courts; or
 - (b) any specified description of such proceedings,shall be allocated to specified judges or to specified descriptions of judge.
- (2) Any such direction shall have effect regardless of any rules of court.
- (3) Where any directions have been given under this section allocating any proceedings to specified judges, the validity of anything done by a judge in, or in relation to, the proceedings shall not be called into question by reason only of the fact that he was not a specified judge.
- (4) For the purposes of subsection (1) “county court” includes the principal registry of the Family Division of the High Court in so far as it is treated as a county court.
- (5) In this section—

“family proceedings” has the same meaning as in the ^{M1}Matrimonial and Family Proceedings Act 1984 and also includes any other proceedings which are family proceedings for the purposes of the ^{M2}Children Act 1989;

“judge” means any person who—

 - (a) is capable of sitting as a judge for a county court district;
 - (b) is a district judge, an assistant district judge or a deputy district judge; or

Status: Point in time view as at 03/04/2006.

Changes to legislation: Courts and Legal Services Act 1990, Cross Heading: Family proceedings is up to date with all changes known to be in force on or before 08 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (c) is a district judge of the principal registry of the Family Division of the High Court; and

“specified” means specified in the directions.

Textual Amendments

F1 Words in s. 9(1) substituted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15(1), 148, [Sch. 4 para. 213](#); S.I. 2006/1014, [art. 2\(a\)](#), Sch. 1 para. 11

Marginal Citations

M1 1984 c. 42.

M2 1989 c. 41.

10 Family proceedings in magistrates’ courts and related matters.

[^{F2}(1) In subsection(2) “family proceedings” means proceedings under Part I of the Domestic Proceedings Magistrates’ Courts Act 1978 [^{F3}or Schedule 6 to the Civil Partnership Act 2004] .]

- (2) [^{F4}Rules made under section 144 of the ^{M3}Magistrates’ Courts Act 1980] may make, in relation to any family proceedings, any provision which—
 - (a) falls within subsection (2) of section 93 of the ^{M4}Children Act 1989 (rules of court); and
 - (b) may be made in relation to relevant proceedings under section 93 of the Act of 1989.

- ^{F5}(3)
- ^{F5}(4)
- ^{F5}(5)

Textual Amendments

F2 S. 10(1) substituted (14.10.1991) by [Maintenance Enforcement Act 1991 \(c. 17, SIF 49:3\)](#), s. 11(1), [Sch. 2 para. 11\(1\)](#); S.I. 1991/2042, [art. 2\(a\)\(b\)](#)

F3 Words in s. 10(1) inserted (15.4.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, [Sch. 27 para. 137](#); S.I. 2005/1112, [art. 2](#), Sch. 1

F4 Words in s. 10(2) substituted (14.10.1991) by [Maintenance Enforcement Act 1991 \(c. 17, SIF 49:3\)](#), s. 11(1), [Sch. 2 para. 11\(2\)](#); S.I. 1991/2042, [art. 2\(a\)\(b\)](#)

F5 S. 10(3)-(5) repealed (1.4.1995) by 1994 c. 29, s. 93, [Sch. 9 Pt. II](#); S.I. 1995/685, [art. 1\(2\)](#)

Commencement Information

I1 S. 10 wholly in force at 1.7.1991 see s. 124(3) and S.I. 1991/1364, [art. 2](#), [Sch.](#)

Marginal Citations

M3 1980 C. 43.

M4 1989 c. 41.

Status:

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