



Family Law Act 1996

1996 CHAPTER 27

PART IV

FAMILY HOMES AND DOMESTIC VIOLENCE

Enforcement powers of magistrates' courts

50 Power of magistrates' court to suspend execution of committal order.

- (1) If, under section 63(3) of the ^{M1}Magistrates' Courts Act 1980, a magistrates' court has power to commit a person to custody for breach of a relevant requirement, the court may by order direct that the execution of the order of committal is to be suspended for such period or on such terms and conditions as it may specify.
- (2) In subsection (1) "a relevant requirement" means—
 - (a) an occupation order or non-molestation order;
 - (b) an exclusion requirement included by virtue of section 38A of the ^{M2}Children Act 1989 in an interim care order made under section 38 of that Act; or
 - (c) an exclusion requirement included by virtue of section 44A of the Children Act 1989 in an emergency protection order under section 44 of that Act.

Marginal Citations

M1 1980 c. 43.

M2 1989 c. 41.

51 Power of magistrates' court to order hospital admission or guardianship.

- (1) A magistrates' court has the same power to make a hospital order or guardianship order under section 37 of the ^{M3}Mental Health Act 1983 or an interim hospital order under section 38 of that Act in the case of a person suffering from mental illness or severe mental impairment who could otherwise be committed to custody for breach of

Status: Point in time view as at 01/10/1997.

Changes to legislation: Family Law Act 1996, Cross Heading: Enforcement powers of magistrates' courts is up to date with all changes known to be in force on or before 06 August 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)

a relevant requirement as a magistrates' court has under those sections in the case of a person convicted of an offence punishable on summary conviction with imprisonment.

(2) In subsection (1) “a relevant requirement” has the meaning given by section 50(2).

Marginal Citations

M3 1983 c. 20.

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Point in time view as at 01/10/1997.

Changes to legislation:

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