

Status: Point in time view as at 25/01/2018.

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 115. (See end of Document for details)

SCHEDULES

SCHEDULE 11

TRANSFER OF JURISDICTION TO FAMILY COURT

PART 1

AMENDMENTS OF ENACTMENTS

Children Act 1989 (c. 41)

- 115 (1) Paragraph 6A (variation etc of orders for periodical payments) is amended as follows.
- (2) In sub-paragraph (1)—
- (a) for “a magistrates” substitute “ the family ”, and
 - (b) for “sub-paragraphs (7) and (8)” substitute “ sub-paragraph (7) ”.
- (3) In sub-paragraphs (1) and (7) (making provision as to payment when exercising power to vary) for “paragraphs (a) to (d) of section 59(3) of the Magistrates' Courts Act 1980” substitute “ section 1(4) and (4A) of the Maintenance Enforcement Act 1991 ”.
- (4) Omit sub-paragraphs (2) to (5) and (10) (power of justices' clerk to vary order).
- (5) In sub-paragraph (6) (power to require account to be opened)—
- (a) for “Subsection (4) of section 59 of the Magistrates' Courts Act 1980” substitute “ Subsection (6) of section 1 of the Maintenance Enforcement Act 1991 ”, and
 - (b) for “sub-paragraphs (1) and (5)” substitute “ sub-paragraph (1) ”.
- (6) Omit sub-paragraph (8) (duty to exercise powers in particular way).
- (7) In sub-paragraph (9) (powers under paragraph only exercisable if payer resident in England and Wales)—
- (a) omit “, or of a justices' clerk,”, and
 - (b) for the words from “which” to end substitute “ unless at the time when the order was made the person required to make the payments was ordinarily resident in England and Wales. ”

Commencement Information

- II** Sch. 11 para. 115 in force at 22.4.2014 by S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Status:

Point in time view as at 25/01/2018.

Changes to legislation:

There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 115.