
STATUTORY INSTRUMENTS

2011 No. 1329

**The Magistrates' Courts (Enforcement or
Variation of Orders Made in Family Proceedings
and Miscellaneous Provisions) Rules 2011**

PART 8

THE 1986 ACT

Chapter 5 of the 1986 Act: registration and enforcement

74.—(1) The FPR shall apply to an application under section 27 of the 1986 Act⁽¹⁾ for the registration and enforcement of a custody order made in a magistrates' court, with the modifications in paragraph (2).

(2) The modifications are—

(a) in rule 32.25—

(i) in the heading, omit “made by the High Court or a county court”;

(ii) in paragraph (1), omit “made in the High Court or a county court”;

(iii) in paragraph (5)(b), after “district judge,” insert “or, in a magistrates' court, to the court”; and

(iv) after paragraph (5), insert—

“(6) A memorandum of the granting by a magistrates' court of an application referred to in paragraph (1) must be entered in the register of the court to which the application was made.

(7) Where the court officer for a magistrates' court which granted an application referred to in paragraph (1) receives notice of the registration of the order in the appropriate court, the court officer must enter particulars of the notice in the register of that court officer's court.”; and

(b) in rule 32.32, in paragraphs (b) and (c), after “judge” insert “, or in a magistrates' court, the court”.

(3) The FPR shall apply where an order under Part 1 of the 1986 Act registered in an appropriate court is varied or revoked, with the modifications in paragraph (4).

(4) The modification are that in rule 32.27—

(a) in the heading, omit “in the High Court or a county court”; and

(b) after paragraph (2), insert—

“(3) Where the court officer referred to in paragraph (1) or (2) is a court officer of a magistrates' court, the court officer will record the fact referred to in paragraph (1) or (2) (a) or (b) by entering a notice in the register.”.

(1) Section 27 was amended by section 108(5) of and paragraph 62 of Schedule 13 to the Children Act 1989.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
