
STATUTORY INSTRUMENTS

2011 No. 1329

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

PART 9

THE 1989 ACT

Applications under the 1989 Act in respect of enforcement of contact orders

76.—(1) The FPR shall apply to—

- (a) an application in the magistrates' court under any of the following provisions of the 1989 Act⁽¹⁾—
 - (i) section 11J (enforcement orders);
 - (ii) section 11O (compensation for financial loss);
 - (iii) paragraph 4 of Schedule A1 (enforcement orders: power to revoke);
 - (iv) paragraph 5, 6 or 7 of Schedule A1 (enforcement orders: amendment);
 - (v) paragraph 9 of Schedule A1 (breach of an enforcement order); or
- (b) an application in the magistrates' court under section 8(2)(a) of the Children and Adoption Act 2006⁽²⁾,

with the modifications in paragraph (2).

(2) The modifications are—

- (a) where the proceedings referred to in paragraph (1)(a) are treated as family proceedings by virtue of section 65 of the 1980 Act, in rule 2.6—
 - (i) in paragraph (1)—
 - (aa) in sub-paragraph (f), delete “or”;
 - (bb) in sub-paragraph (g), for “;” substitute “; or”;
 - (cc) after sub-paragraph (g), insert—
 - “(h) under paragraph 5 of Schedule A1.”; and
 - (ii) in paragraph (3), for “paragraphs (a), (c) and (d)” substitute “paragraphs (a), (b), (d) and (h)”;
- (b) in rule 12.33(1), omit “to the High Court or a county court”; and
- (c) in rule 12.35(1), for “the High Court or a county court” substitute “the court”.

⁽¹⁾ Sections 11J and 11O and paragraphs 4 to 7 and 9 of Schedule A1 were inserted by, respectively, section 4(1), 5 and 4(2) of and the Schedule to the Children and Adoption Act 2006 (c.20).

⁽²⁾ 2006 c.20.

Status: This is the original version (as it was originally made).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

(3) The FPR shall apply in a case where a magistrates' court is considering exercising, or has exercised, a power under either of the following provisions of the 1989 Act⁽³⁾—

- (i) section 11L(5) (enforcement orders: provision of information); or
- (ii) section 11M(1) (enforcement orders: monitoring).

⁽³⁾ Sections 11L and 11M were inserted by section 4(1) of the Children and Adoption Act 2006.