

SCHEDULE

Amendment of primary and secondary legislation

PART 1

Amendment of primary legislation

Amendment of the Family Law Act 1986

- 15.**—(1) The Family Law Act 1986(1) is amended as follows.
- (2) In section 2 (jurisdiction: general)—
- (a) in subsections (1)(a), (2C)(a) and (3)(a), omit “the Council Regulation or”;
 - (b) in subsections (1)(b), (2C)(b) and (3)(b), for the words from “neither” to “applies” substitute “the Hague Convention does not apply”.
- (3) In section 5 (power of court to refuse application or stay proceedings)—
- (a) in subsection (2)—
 - (i) at the end of paragraph (b) insert “or”;
 - (ii) omit paragraph (c) and the “or” following it;
 - (iii) in the words after subsection (d), omit “Article 15 of the Council Regulation or”;
 - (b) omit subsection (3A);
 - (c) in subsection (3B)—
 - (i) omit “or (3A)”;
 - (ii) omit “, (3A)”;
 - (d) in subsection (4), omit “so far as it relates to proceedings not governed by the Council Regulation”.
- (4) In section 19 (jurisdiction: general)—
- (a) in subsections (1)(a) and (3)(a), omit “the Council Regulation or”;
 - (b) in subsections (1)(b) and (3)(b), for the words from “neither” to “applies” substitute “the Hague Convention does not apply”.
- (5) In section 22 (power of court to refuse application or stay proceedings)—
- (a) in subsection (2)—
 - (i) at the end of paragraph (b) insert “or”;
 - (ii) omit paragraph (c);
 - (iii) in the words after subsection (d), omit “Article 15 of the Council Regulation or”;
 - (b) omit subsection (3A);
 - (c) in subsection (4), omit “so far as it relates to proceedings not governed by the Council Regulation”.
- (6) In section 42 (general interpretation of Part I), in subsection (1), omit the definition of “the Council Regulation”.
- (7) In section 45—
- (a) in subsection (1), omit “subsection (2) of this section and to”;

(1) 1986 c. 55. Section (2C) was inserted by section 9(6) of the Children and Families Act 2014 (c. 6). The other relevant amending instruments are S.I. 1995/755, 2005/265, 2010/1898.

Status: *This is the original version (as it was originally made).*

- (b) omit subsection (2).
- (8) In section 54, in subsection (1), omit the definition of “the Council Regulation”.