

**Changes to legislation:** Children Act 1989, Part II is up to date with all changes known to be in force on or before 18 April 2024. 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) View outstanding changes

## SCHEDULES

### SCHEDULE 11

#### JURISDICTION

##### Modifications etc. (not altering text)

- C1** Sch. 11 applied (6.4.2007) by [Childcare Act 2006 \(c. 21\)](#), [ss. 79\(4\)](#), 109; [S.I. 2007/1019](#), [art. 4](#)
- C1** Sch. 11 applied by [Childcare Act 2006 \(c. 21\)](#), [s. 98F\(5\)](#) (as inserted (12.1.2010) by [2009 c. 22](#), [ss. 199](#), [269\(2\)\(b\)](#))
- C1** Sch. 11 applied (W.) (1.4.2011) by Children and Families (Wales) Measure 2010 (nawm 1), [ss. 43\(4\)](#), [75](#); [S.I. 2010/2582](#), [art. 2](#), [Sch. 1](#) (subject to [arts. 3, 4, 5](#)) (as amended by [S.I. 2011/577](#), [art. 2](#))

#### PART II

##### CONSEQUENTIAL AMENDMENTS

###### *The Administration of Justice Act 1964 (c. 42)*

- 5 In section 38 of the Administration of Justice Act 1964 (interpretation), the definition of “domestic court”, which is spent, shall be omitted.

##### Commencement Information

- I1** Sch. 11 Pt. II para. 5 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and [S.I. 1991/828](#), [art. 3\(2\)](#)

###### *The Domestic Proceedings and Magistrates’ Courts Act 1978 (c. 22)*

- 6 In the Domestic Proceedings and Magistrates’ Courts Act 1978—
- (a) for the words “domestic proceedings”, wherever they occur in [\[F1section\] 88\(1\)](#), there shall be substituted “family proceedings”;
  - (b) for the words “domestic court panel”, wherever they occur in [section 16\(5\)](#) (b), there shall be substituted “family panel”.

##### Textual Amendments

- F1** Word in [Sch. 11 para. 6\(a\)](#) substituted (1.10.1997) by [1996 c. 27](#), [s. 66\(1\)](#), [Sch. 8 Pt. III para. 60\(2\)](#) (with [Sch. 9 paras. 8, 9, 10](#)); [S.I. 1997/1892](#), [art. 3\(1\)\(a\)](#)

##### Commencement Information

- I2** Sch. 11 Pt. II para. 6 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and [S.I. 1991/828](#), [art. 3\(2\)](#)

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*The Justices of the Peace Act 1979 (c. 55)*

F27 .....

**Textual Amendments**  
F2 Sch. 11 Pt. II para. 7 repealed (19.6.1997) by 1997 c. 25, ss. 73(1)(3), 74(1), Sch. 4 Pt. II, para. 7(2) (f)(ii), Sch. 6, Pt.I

*The Magistrates’ Courts Act 1980 (c. 43)*

8 In the Magistrates’ Courts Act 1980—

- F3(a) .....
- F3(b) .....
- F3(c) .....
- F4(d) .....
- F4(e) .....
- F4(f) .....
- F4(g) .....

**Textual Amendments**  
F3 Sch. 11 para. 8(a)-(c) repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 10 para. 99 Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)  
F4 Sch. 11 para. 8(d)-(g) repealed (1.4.2005) by Courts Act 2003 (c. 39), s. 109(3), Sch. 10; S.I. 2005/910, art. 3(aa)

**Commencement Information**  
I3 Sch. 11 Pt. II para. 8 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

*The [F5Senior Courts Act 1981] (c. 54)*

**Textual Amendments**  
F5 Sch. 11 para. 9 cross-heading: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of Constitutional Reform Act 2005 (c. 4), ss. 59, 148(1), Sch. 11 para. 1(2); S.I. 2009/1604, art. 2(d)

9 In paragraph 3 of Schedule 1 to the [F6Senior Courts Act 1981] (distribution of business to the Family Division of the High Court), the following sub-paragraph shall be added at the end—

“(e) proceedings under the Children Act 1989”.

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#### Textual Amendments

- F6** Sch. 11 para. 9: for the words "Supreme Court Act 1981" wherever they occur there is substituted (1.10.2009) the words "Senior Courts Act 1981" by virtue of [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 59, 148(1), [Sch. 11 para. 1\(2\)](#); S.I. 2009/1604, [art. 2\(d\)](#)
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#### Commencement Information

- I4** Sch. 11 Pt. II para. 9 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and S.I. 1991/828, [art. 3\(2\)](#)

#### *The Matrimonial and Family Proceedings Act 1984 (c. 42)*

- 10 In section 44 of the Matrimonial and Family Proceedings Act 1984 (domestic proceedings in magistrates' courts to include applications to alter maintenance agreements) for the words "domestic proceedings", wherever they occur, there shall be substituted "family proceedings".

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#### Commencement Information

- I5** Sch. 11 Pt. II para. 10 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and S.I. 1991/828 art. 3(2)

#### *The Insolvency Act 1986 (c. 45)*

- 11 (1) In section 281(5)(b) of the Insolvency Act 1986 (discharge not to release bankrupt from bankruptcy debt arising under any order made in family proceedings or in domestic proceedings), the words "or in domestic proceedings" shall be omitted.
- (2) In section 281(8) of that Act (interpretation), for the definitions of "domestic proceedings" and "family proceedings" there shall be substituted—
- “family proceedings” means—
- (a) family proceedings within the meaning of the Magistrates' Courts Act 1980 and any proceedings which would be such proceedings but for section 65(1)(ii) of that Act (proceedings for variation of order for periodical payments); and
  - (b) family proceedings within the meaning of Part V of the Matrimonial and Family Proceedings Act 1984.

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#### Commencement Information

- I6** Sch. 11 Pt. II para. 11 wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and S.I. 1991/828, [art. 3\(2\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)