

Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Senior Courts Act 1981 (c. 54). (See end of Document for details)

SCHEDULES

SCHEDULE 10

THE FAMILY COURT

PART 2

THE FAMILY COURT: FURTHER AMENDMENTS

Senior Courts Act 1981 (c. 54)

54 The Senior Courts Act 1981 is amended as follows.

Commencement Information

I1 Sch. 10 para. 54 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

55 In section 33 (powers of High Court exercisable before commencement of action) after subsection (2) insert—

“(3) This section applies in relation to the family court as it applies in relation to the High Court.”

Commencement Information

I2 Sch. 10 para. 55 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

56 In section 34 (powers of High Court to order disclosure or inspection of documents or property of non-party) after subsection (4) insert—

“(5) Subsections (2) and (3) apply in relation to the family court as they apply in relation to the High Court.”

Commencement Information

I3 Sch. 10 para. 56 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

57 In section 35(1) (limits on High Court's power to make orders under sections 33 and 34) for “The High Court” substitute “A court”.

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Commencement Information

- I4** Sch. 10 para. 57 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

58 In section 37 (powers of High Court to grant injunctions or appoint receivers) after subsection (5) insert—

“(6) This section applies in relation to the family court as it applies in relation to the High Court.”

Commencement Information

- I5** Sch. 10 para. 58 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

59 In section 39(1) (powers of High Court to order documents to be executed or indorsed by nominated person)—

- (a) in the words before paragraph (a) after “High Court” insert “ or family court ”, and
 (b) in paragraph (b) for “the High Court” substitute “ that court ”.

Commencement Information

- I6** Sch. 10 para. 59 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

60 In section 42(1)(a) and (b) (engaging in vexatious civil proceedings is ground for High Court making order under the section) after “High Court” insert “ or the family court ”.

Commencement Information

- I7** Sch. 10 para. 60 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

61 (1) Section 51 (costs) is amended as follows.

(2) In subsection (1) (section applies to civil division of Court of Appeal, High Court and county court) before the “and” at the end of paragraph (b) insert—

“(ba) the family court;”.

(3) In subsection (8)(b) (proceedings commenced in High Court that should have been commenced in county court) before “in accordance” insert “ or family court ”.

Commencement Information

- I8** Sch. 10 para. 61 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

62 In section 70 (assessors) after subsection (4) insert—

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“(5) Subsections (1) and (2) apply in relation to the family court as they apply in relation to the High Court.”

Commencement Information

I9 Sch. 10 para. 62 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

63 In Schedule 1 (distribution of business in High Court) omit paragraph 3(d) (appeals from enforcement decisions of magistrates' courts in relation to certain family matters).

Commencement Information

I10 Sch. 10 para. 63 in force at 22.4.2014 by S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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