

## SCHEDULE 1

### Amendment of primary legislation

#### Amendment of the Family Law Act 1986

- 2.—(1) The Family Law Act 1986 <sup>M1</sup> is amended as follows.
- (2) In section 14 <sup>M2</sup> (power of court to refuse application or sist proceedings) in subsection (2)—
- (a) at the end of paragraph (b) insert “ or ”,
  - (b) omit paragraph (c), and
  - (c) in the words following paragraph (d), omit “Article 15 of the Council Regulation or” and “of the Council Regulation”.
- (3) In section 15 <sup>M3</sup> (duration, variation and recall of orders) in subsection (1)(b) omit “or by virtue of the Council Regulation”.
- (4) In section 17A <sup>M4</sup>, omit “Sections 2 and 3 of Chapter II of the Council Regulation and are subject to”.
- (5) In section 26 <sup>M5</sup> (recognition: special Scottish rule), omit subsection (2).
- (6) In section 42 <sup>M6</sup> (general interpretation of Part 1), in subsection (1), omit the definition of “the Council Regulation”.
- (7) In section 45 <sup>M7</sup> (recognition in the United Kingdom of overseas divorces, annulments and legal separations)—
- (a) in subsection (1) omit “subsection (2) of this section and to”, and
  - (b) omit subsection (2).
- (8) In section 54 <sup>M8</sup> (interpretation of Part 2), in subsection (1), omit the definition of “the Council Regulation”.

#### Commencement Information

- II** Sch. 1 para. 2 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see **reg. 1**

#### Marginal Citations

- M1** 1986 c.55.
- M2** Section 14 was amended by the **Children Act 1989 (c.41)**, **schedule 13**, paragraph 62(2)(a), **S.S.I. 2005/42** and **S.S.I. 2010/213**.
- M3** Section 15 was amended by the **Children Act 1989 (c.41)**, **schedule 13**, paragraph 62(2)(a), the **Children (Scotland) Act 1995 (c.36)**, **schedule 4**, paragraph 41(4) and schedule 5, paragraph 1 and **S.S.I. 2001/36**.
- M4** Section 17A was inserted by **S.S.I. 2005/42** and amended by **S.S.I. 2010/213**.
- M5** Section 26(2) was inserted by **S.S.I. 2001/36** and amended by **S.S.I. 2005/42**.
- M6** Section 42 was amended by **S.S.I. 2005/623** and **S.S.I. 2010/213**.
- M7** Section 45 was amended by **S.I. 2001/310** and **S.I. 2005/265**.
- M8** The definition in section 54(1) was inserted by **S.S.I. 2005/42**.

**Changes to legislation:**

There are currently no known outstanding effects for the The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019, Paragraph 2.