

Status: Point in time view as at 14/10/1991.

Changes to legislation: Children Act 1989, Part II is up to date with all changes known to be in force on or before 25 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)

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 sections 16(5)(c) and 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”.

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\(2\)](#)

Status: Point in time view as at 14/10/1991.

Changes to legislation: Children Act 1989, Part II is up to date with all changes known to be in force on or before 25 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)

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

- 7 In the Justices of the Peace Act 1979—
- (a) for the words “domestic proceedings”, wherever they occur in section 16(5), there shall be substituted “family proceedings”;
 - (b) for the words “domestic court”, wherever they occur in section 17(3), there shall be substituted “family proceedings court”;
 - (c) for the words “domestic courts”, wherever they occur in sections 38(2) and 58(1) and (5), there shall be substituted “family proceedings courts”.

Commencement Information

I3 Sch. 11 Pt. II para. 7 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, art. 3(2)

The Magistrates’ Courts Act 1980 (c. 43)

- 8 In the Magistrates’ Courts Act 1980—
- (a) in section 65(1) (meaning of family proceedings), the following paragraph shall be inserted after paragraph (m)—
 “(n) the Children Act 1989”;
 - (b) in section 65(2)(a) for the words “and (m)” there shall be substituted “(m) and (n)”;
 - (c) for the words “domestic proceedings”, wherever they occur in sections 65(1), (2) and (3), 66(1) and (2), 67(1), (2) and (7), 69(1), (2), (3) and (4), 70(2) and (3), 71(1) and (2), 72(1), 73, 74(1), 121(8) and 150(1), there shall be substituted “family proceedings”;
 - (d) for the words “domestic court panel”, wherever they occur in sections 66(2), 67(2), (4), (5), (7) and (8) and 68(1), (2) and (3), there shall be substituted “family panel”;
 - (e) for the words “domestic court panels”, wherever they occur in section 67(3), (4), (5) and (6), there shall be substituted “family panels”;
 - (f) for the words “domestic courts”, wherever they occur in sections 67(1) and (3) and 68(1), there shall be substituted “family proceedings courts”;
 - (g) for the words “domestic court”, wherever they occur in section 67(2) and (5), there shall be substituted “family proceedings court”.

Commencement Information

I4 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 Supreme Court Act 1981 (c. 54)

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

Status: Point in time view as at 14/10/1991.

Changes to legislation: Children Act 1989, Part II is up to date with all changes known to be in force on or before 25 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)

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

Commencement Information

I5 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”.

Commencement Information

I6 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.

Commencement Information

I7 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)

Status:

Point in time view as at 14/10/1991.

Changes to legislation:

Children Act 1989, Part II is up to date with all changes known to be in force on or before 25 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.