Family Law Act 1996

1996 CHAPTER 27

PART IV

FAMILY HOMES AND DOMESTIC VIOLENCE

Jurisdiction and procedure etc.

57 Jurisdiction of courts.

(1) For the purposes of this Part "the court" means **[**[F1]the High Court or the family court**]**.

[F2](2) . . . . . .

[F2](3) . . . . . .

[F2](4) . . . . . .

[F2](5) . . . . . .

[F2](6) . . . . . .

[F2](7) . . . . . .

[F2](8) . . . . . .

[F2](9) . . . . . .

[F2](10) . . . . . .

[F2](11) . . . . . .

[F2](12) . . . . . .

Status: *This version of this cross heading contains provisions that are prospective.*
Changes to legislation: *Family Law Act 1996, Cross Heading: Jurisdiction and procedure etc. is up to date with all changes known to be in force on or before 10 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*

Textual Amendments

F1 Words in s. 57(1) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 135(2)**; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

F2 S. 57(2)-(12) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 135(3)**; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

58 Contempt proceedings.

The powers of the court in relation to contempt of court arising out of a person's failure to comply with an order under this Part may be exercised by the relevant judicial authority.

[F3]59 Magistrates' courts.

. . . . . .

Textual Amendments

F3 S. 59 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 136**; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

PROSPECTIVE

60 Provision for third parties to act on behalf of victims of domestic violence.

(1) Rules of court may provide for a prescribed person, or any person in a prescribed category, ("a representative") to act on behalf of another in relation to proceedings to which this Part applies.

(2) Rules made under this section may, in particular, authorise a representative to apply for an occupation order or for a non-molestation order for which the person on whose behalf the representative is acting could have applied.

(3) Rules made under this section may prescribe—

(a) conditions to be satisfied before a representative may make an application to the court on behalf of another; and

(b) considerations to be taken into account by the court in determining whether, and if so how, to exercise any of its powers under this Part when a representative is acting on behalf of another.

(4) Any rules made under this section may be made so as to have effect for a specified period and may make consequential or transitional provision with respect to the expiry of the specified period.

(5) Any such rules may be replaced by further rules made under this section.

Status: *This version of this cross heading contains provisions that are prospective.*
Changes to legislation: *Family Law Act 1996, Cross Heading: Jurisdiction and procedure etc. is up to date with all changes known to be in force on or before 10 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*

[F4]61 Appeals.

. . . . . .

Textual Amendments

F4 S. 61 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 137**; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Status:
This version of this cross heading contains provisions that are prospective.

Changes to legislation:
Family Law Act 1996, Cross Heading: Jurisdiction and procedure etc. is up to date with all changes known to be in force on or before 10 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.
View outstanding changes

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. 63(2)(k) inserted by 2021 c. 17 s. 52(2)