

---

*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Civil Jurisdiction and Judgments Act 1982 (c. 27). (See end of Document for details)*

---

## SCHEDULES

### SCHEDULE 11

#### TRANSFER OF JURISDICTION TO FAMILY COURT

##### PART 1

##### AMENDMENTS OF ENACTMENTS

##### *Civil Jurisdiction and Judgments Act 1982 (c. 27)*

- 86 (1) The Civil Jurisdiction and Judgments Act is amended as follows.
- (2) In the second sentence of section 5(1) (enforcement of maintenance orders under 1968 Convention) after “Article 32” insert “but, if the appropriate court is a magistrates' court in England and Wales, the Lord Chancellor is to transmit the application to the family court”.
- (3) In section 5(2) (determination of transmitted application) for “officer of that court” substitute “officer—
- (a) of the family court if the application is transmitted to that court, or
  - (b) in any other case, of the court having jurisdiction in the matter”.
- (4) Omit section 5(5A) to (5C) (enforcement in magistrates' courts in England and Wales).
- (5) In section 5(7) omit “England and Wales or”.
- (6) In section 5(8) omit paragraph (a) (including the “and” at the end).
- (7) In the second sentence of section 5A(1) (enforcement of maintenance orders under the Lugano Convention of 2007) after “Article 39” insert “but, if the appropriate court is a magistrates' court in England and Wales, the Lord Chancellor is to transmit the application to the family court”.
- (8) In section 5A(2) (determination of transmitted application) for “officer of” substitute “officer—
- (a) of the family court if the application is transmitted to that court, or
  - (b) in any other case, of”.
- (9) Omit section 5A(5) (enforcement in magistrates' courts in England and Wales).
- (10) In section 5A(7) omit “England and Wales or”.
- (11) In section 5A(9) omit paragraph (a) (including the “and” at the end).
- (12) Omit sections 6(3)(a) and 6A(3)(a) (appeals in England and Wales).
- (13) In section 7(4) (interest on arrears)—

---

*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross Heading: Civil Jurisdiction and Judgments Act 1982 (c. 27). (See end of Document for details)*

---

- (a) omit “England and Wales or”,
  - (b) omit “section 2A of the Maintenance Orders Act 1958 or”, and
  - (c) for “enable” substitute “ enables ”.
- (14) In section 15(3) (jurisdiction of magistrates' courts)—
- (a) after “particular magistrates' court” insert “ in Northern Ireland ”, and
  - (b) for “in the same local justice area (or, in Northern Ireland, for the same petty sessions district)” substitute “ for the same petty sessions district ”.
- (15) In section 36(1)(b) (registration of maintenance orders) for “county court order, a magistrates” substitute “ family ”.
- (16) In section 48(3) (rules of court relating to maintenance orders)—
- (a) in the words before paragraph (a) for “magistrates' courts,” substitute “the family court, the power to make rules of court for magistrates' courts in Northern Ireland,”,
  - (b) in paragraphs (a) and (g) after “purposes of” insert “ the family court or ”, and
  - (c) in paragraphs (f) and (h) after “which” insert “ the family court or ”.
- (17) In section 50 (interpretation) in the definition of “court of law”—
- (a) after paragraph (a) insert—
    - “(aa) in England and Wales, the Court of Appeal, the High Court, the Crown Court, the family court, the county court and a magistrates' court,”, and
  - (b) in paragraph (b) omit “England and Wales or”.

---

**Commencement Information**

- II** Sch. 11 para. 86 in force at 22.4.2014 by S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

**Changes to legislation:**

There are currently no known outstanding effects for the Crime and Courts Act 2013, Cross  
Heading: Civil Jurisdiction and Judgments Act 1982 (c. 27).