
STATUTORY INSTRUMENTS

2005 No. 3336

The Civil Partnership (Family Proceedings and Housing Consequential Amendments) Order 2005

Amendments to the Family Law Act 1986(1)

- 9.—(1) Amend section 6 (duration and variation of custody orders) as follows.
- (2) In subsection (3)—
- (a) after “matrimonial proceedings” insert “or civil partnership proceedings”; and
 - (b) after “marriage” insert “or civil partnership”.
- (3) For subsections (3A) and (3B) substitute—
- “(3A) Subsection (3) shall not apply if—
- (a) the Part 1 order was made in or in connection with proceedings—
 - (i) for divorce or nullity in England and Wales in respect of the marriage of the parents of the child concerned; or
 - (ii) for dissolution or annulment in England and Wales in respect of the civil partnership of the parents of the child concerned; and
 - (b) those proceedings are continuing.
- (3B) Subsection (3) shall not apply if—
- (a) the Part 1 order was made in or in connection with proceedings—
 - (i) for judicial separation in England and Wales; or
 - (ii) for a separation order in England and Wales; and
 - (b) those proceedings are continuing; and
 - (c) as the case may be, the decree of judicial separation has not yet been granted or the separation order has not yet been made.”

(1) [1986 c. 55](#), as amended by the Children Act 1989 s. 108(5) Schedule 13, the Children (NI) Order 1995 [S.I. 1995/755](#) and [S.I. 2005/265](#).