

Changes to legislation: There are currently no known outstanding effects for the *The Parental Responsibility and Measures for the Protection of Children (International Obligations) (England and Wales and Northern Ireland) Regulations 2010, Paragraph 6.* (See end of Document for details)

SCHEDULE

Consequential amendments

Family Law Act 1986

6.—(1) In section 5(2) (power of court to refuse application or stay proceedings: England and Wales)—

- (a) after paragraph (a) leave out “or”,
- (b) after paragraph (b) leave out “or”,
- (c) after paragraph (c) insert “, or” and insert
 - “(d) that it should exercise its powers under Article 8 of the Hague Convention (request to authority in another Contracting State to assume jurisdiction),” and
- (d) after “Article 15” in the words following paragraph (c), insert “of the Council Regulation or Article 8 of the Hague Convention”.

(2) After section 5(3A) insert—

“(3AA) The court may remove a stay granted in order for it to exercise its powers under Article 8 of the Hague Convention, and withdraw any request made by it to an authority in another Contracting State to assume jurisdiction, if—

- (a) the authority in the other Contracting State does not assume jurisdiction within the period for which the court granted the stay, or
- (b) the parties do not, within the period specified by the court, request the authority in the other Contracting State to assume jurisdiction.”

(3) In section 5(3B) for “or (3A)” substitute “, (3A) or (3AA)”.

Commencement Information

II Sch. para. 6 in force at 1.11.2012 in accordance with, see [reg. 1\(2\)](#)

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