

SCHEDULE 7

CONSEQUENTIAL AMENDMENTS

Children Act 1989 (c.41)

12.—(1) Schedule 1 to the Children Act 1989 is amended as follows.

(2) In paragraph 10—

- (a) in sub-paragraph (2), for “Where” substitute “ Subject to sub-paragraph (2A), where ”;
- (b) after that sub-paragraph insert—

“(2A) If an application or part of an application relates to a matter where jurisdiction falls to be determined by reference to the jurisdictional requirements of the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011—

- (a) the requirement as to domicile or residence in sub-paragraph (2) does not apply to the application or that part of it, but
- (b) the court may not entertain the application or that part of it unless it has jurisdiction to do so by virtue of that Regulation and that Schedule.

(2B) In sub-paragraph (2A), “the Maintenance Regulation” means Council Regulation (EC) No 4/2009 including as applied in relation to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark.”.

(3) For paragraph 14 substitute—

“**14.**—(1) If an application under paragraph 1 or 2, or part of such an application, relates to a matter where jurisdiction falls to be determined by reference to the jurisdictional requirements of the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011, the court may not entertain the application or that part of it unless it has jurisdiction to do so by virtue of that Regulation and that Schedule.

(2) In sub-paragraph (1), “the Maintenance Regulation” means Council Regulation (EC) No 4/2009 including as applied in relation to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark.”.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011, Paragraph 12.