

SCHEDULE

Amendment of primary and secondary legislation

PART 1

Amendment of primary legislation

Amendment of the Family Law Act 1986

- 15.**—(1) The Family Law Act 1986^{M1} is amended as follows.
- (2) In section 2 (jurisdiction: general)—
- (a) in subsections (1)(a), (2C)(a) and (3)(a), omit “the Council Regulation or”;
 - (b) in subsections (1)(b), (2C)(b) and (3)(b), for the words from “neither” to “applies” substitute “ the Hague Convention does not apply ”.
- (3) In section 5 (power of court to refuse application or stay proceedings)—
- (a) in subsection (2)—
 - (i) at the end of paragraph (b) insert “ or ”;
 - (ii) omit paragraph (c) and the “or” following it;
 - (iii) in the words after subsection (d), omit “Article 15 of the Council Regulation or”;
 - (b) omit subsection (3A);
 - (c) in subsection (3B)—
 - (i) omit “or (3A)”;
 - (ii) omit “, (3A)”;
 - (d) in subsection (4), [^{F1}for “Council Regulation” substitute “Hague Convention”].
- (4) In section 19 (jurisdiction: general)—
- (a) in subsections (1)(a) and (3)(a), omit “the Council Regulation or”;
 - (b) in subsections (1)(b) and (3)(b), for the words from “neither” to “applies” substitute “ the Hague Convention does not apply ”.
- (5) In section 22 (power of court to refuse application or stay proceedings)—
- (a) in subsection (2)—
 - (i) at the end of paragraph (b) insert “ or ”;
 - (ii) omit paragraph (c);
 - (iii) in the words after subsection (d), omit “Article 15 of the Council Regulation or”;
 - (b) omit subsection (3A);
 - (c) in subsection (4), [^{F2}for “Council Regulation” substitute “Hague Convention”].
- (6) In section 42 (general interpretation of Part I), in subsection (1), omit the definition of “the Council Regulation”.
- (7) In section 45—
- (a) in subsection (1), omit “subsection (2) of this section and to”;
 - (b) omit subsection (2).
- (8) In section 54, in subsection (1), omit the definition of “the Council Regulation”.

Changes to legislation: There are currently no known outstanding effects for the *The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 15*. (See end of Document for details)

- F1** Words in Sch. para. 15(3)(d) substituted (17.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, 5(3)(f)(i)
- F2** Words in Sch. para. 15(5)(c) substituted (17.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, 5(3)(f)(ii)

Commencement Information

- I1** Sch. para. 15 in force on IP completion day (in accordance with [2020 c. 1](#), [Sch. 5 para. 1\(1\)](#)), see [reg. 1\(1\)](#)

Marginal Citations

- M1** [1986 c. 55](#). Section (2C) was inserted by section 9(6) of the [Children and Families Act 2014 \(c. 6\)](#). The other relevant amending instruments are [S.I. 1995/755](#), [2005/265](#), [2010/1898](#).

Changes to legislation:

There are currently no known outstanding effects for the The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 15.