
DRAFT STATUTORY INSTRUMENTS

2011 No.

The Family Procedure (Modification of Enactments) Order 2011

PART 3

AMENDMENTS TO PRIMARY LEGISLATION

Amendment of the Courts Act 1971

3. In section 52 of the Courts Act 1971(1), after subsection (3) insert—

“(3A) Subsection (3) does not apply to family proceedings (within the meaning of section 65 of the Magistrates’ Courts Act 1980(2)).”

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- (1) [1971 c.23](#). Section 52 was amended by section 21 of and Schedule 2 to the Costs in Criminal Cases Act [1973 \(c.14\)](#), section 154 of and paragraph 96 of Schedule 7 to the Magistrates’ Courts Act [1980 \(c.43\)](#) and by section 109(1) of and paragraph 140(a) and (b) of Schedule 8 to the Courts Act [2003 \(c.39\)](#).
- (2) [1980 c.43](#). Section 65 was amended by section 15(4) of, and Part 1 of Schedule 12 to, the Civil Jurisdiction and Judgments Act [1982 \(c.27\)](#), section 44 of the Matrimonial and Family Proceedings Act [1984 \(c.42\)](#), section 86 of, and paragraph 54 of Schedule 10 to, the Social Security Act [1986 \(c.50\)](#), section 33 of, and Schedules 2 and 4 to, the Family Law Reform Act [1987 \(c.42\)](#), sections 92 and 108(7) of, and paragraph 8 of Schedule 11 and Schedule 15 to, the Children Act [1989 \(c.41\)](#), sections 116 and 125(7) of, and paragraph 40 of Schedule 16 and Schedule 20 to, the Courts and Legal Services Act [1990 \(c.41\)](#), sections 3 and 4 of, and Schedule 1 and paragraph 60 of Schedule 2 to, the Social Security (Consequential Provisions) Act [1992 \(c.6\)](#), section 66(1) of, and paragraph 49 of Schedule 8 to, the Family Law Act [1996 \(c.27\)](#), section 119 of, and paragraph 42 of Schedule 8 to, the Crime and Disorder Act [1998 \(c.37\)](#), sections 83(5) and 85 of, and paragraph 2(1) to (3) of Schedule 8 and Part 9 of Schedule 9 to, the Child Support, Pensions and Social Security Act [2000 \(c.19\)](#), section 139(1) of, and paragraphs 36 and 37 of Schedule 3 to, the Adoption and Children Act [2002 \(c.38\)](#), section 109(1) of, and paragraph 214 of Schedule 8 to, the Courts Act 2003, section 261(1) of, and paragraph 65 of Schedule 27 to, the Civil Partnership Act 2004, section 103(1) of, and paragraph 2 of Schedule 2 to, the Childcare Act [2006 \(c.21\)](#), section 166 of, and Part 5 of Schedule 15 to, the Health and Social Care Act [2008 \(c.14\)](#), section 56 of, and paragraph 20 of Part 1 of Schedule 6 to, the Human Fertilisation and Embryology Act [2008 \(c.22\)](#), section 72 of, and paragraphs 1 and 2 of Schedule 1 to, the [Children and Families \(Wales\) Measure 2010 \(nawm 1\)](#), and by S.I. [1993/623](#), [1997/1898](#), [2001/3929](#), [2005/265](#) and [2007/1655](#), and was modified by S.I. [2010/985](#).