

SCHEDULES

SCHEDULE 1

Section 1.

HIGH COURT BUSINESS ASSIGNED TO FAMILY DIVISION

Business at first instance

Proceedings consisting of a matrimonial cause, or any matter arising out of or connected with such a cause; proceedings for a decree of presumption of death and dissolution of marriage ; and any other proceedings with respect to which rules of court may be made by virtue of section 7(1) of the Matrimonial Causes Act 1967.

Proceedings for a declaration—

- (a) under section 39 of the Matrimonial Causes Act 1965, as to a person's legitimacy, or the validity of a marriage, or a person's right to be deemed a British subject; or
- (b) with respect to a person's matrimonial status.

Proceedings in relation to the wardship of minors.

Proceedings under the Adoption Acts 1958 and 1968.

Proceedings under the Guardianship of Infants Act 1886 and 1925 and otherwise in relation to the guardianship of minors, except proceedings for the appointment of a guardian of a minor's estate alone.

Proceedings under section 3 of the Marriage Act 1949 for obtaining the court's consent to the marriage of a minor.

Proceedings under section 17 of the Married Women's Property Act 1882 (determination of title to property in dispute between spouses).

Proceedings in which a parent or guardian of a minor applies for a writ of habeas corpus ad subjiciendum relative to the custody, care or control of the minor.

Proceedings under the following enactments:—

- (a) the Maintenance Orders (Facilities for Enforcement) Act 1920 (enforcement in England and Wales of orders made overseas for periodical payments to a man's wife or dependant);
- (b) Part II of the Maintenance Orders Act 1950 (enforcement in England and Wales of certain maintenance and other orders made in Scotland or Northern Ireland);
- (c) the Maintenance Orders Act 1958 (registration and enforcement of certain maintenance and other orders);
- (d) Part II of this Act.

Proceedings under section 1 of the Matrimonial Homes Act 1967 (means whereby a spouse can continue in occupation of, or obtain entry to, a dwelling-house which is, or has been, the matrimonial home).

Status: This is the original version (as it was originally enacted).

Appellate business

Proceedings on appeal under—

- (a) section 10 of the Guardianship of Infants Act 1886 (appeal to High Court from order of county court under that Act);
- (b) section 7(3) of the Guardianship of Infants Act 1925 (corresponding appeal from a magistrates' court);
- (c) section 11 of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 (appeal from certain decisions of a magistrates' court under that Act).

Proceedings on appeal from a magistrates' court under section 10 of the Adoption Act 1958 against the making of, or refusal to make, an adoption order.

Proceedings on appeal from a magistrates' court under section 4(7) of the Maintenance Orders Act 1958 against the variation of, or refusal to vary, an order registered in accordance with the provisions of that Act.

Proceedings on appeal under section 13 of the Administration of Justice Act 1960 (appeal in cases of contempt of court) from an order or decision of a magistrates' court under section 54(3) of the Magistrates' Courts Act 1952 where the order or decision was made to enforce an order of such a court under the Guardianship of Infants Acts 1886 and 1925 or the Matrimonial Proceedings (Magistrates' Courts) Act 1960.

Proceedings on appeal by case stated against an order or determination of a court of quarter sessions, or a magistrates' court, made or given in affiliation proceedings. Proceedings on appeal by case stated against an order or determination of a magistrates' court with regard to the enforcement of—

- (a) an order for the payment of money made by virtue of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 ;
- (b) an order for the payment of money registered in a magistrates' court under the Maintenance Orders Act 1958 or registered in a court in England and Wales under Part II of the Maintenance Orders Act 1950 or the Maintenance Orders (Facilities for Enforcement) Act 1920 or confirmed by a magistrates' court under the last-mentioned Act.

Proceedings on appeal by case stated against an order or determination of a magistrates' court under section 24 of the Matrimonial Causes Act 1965 (alteration of maintenance agreement between spouses).