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## SCHEDULES

### SCHEDULE 1

#### DISTRIBUTION OF BUSINESS IN HIGH COURT

##### *Chancery Division*

- 1 To the Chancery Division are assigned all causes and matters relating to—
- (a) the sale, exchange or partition of land, or the raising of charges on land;
  - (b) the redemption or foreclosure of mortgages;
  - (c) the execution of trusts;
  - (d) the administration of the estates of deceased persons;
  - (e) bankruptcy;
  - (f) the dissolution of partnerships or the taking of partnership or other accounts;
  - (g) the rectification, setting aside or cancellation of deeds or other instruments in writing;
  - (h) probate business, other than non-contentious or common form business;
  - (i) patents, trade marks, registered designs [<sup>F1</sup>, copyright or design right];
  - (j) the appointment of a guardian of a minor's estate,
- and all causes and matters involving the exercise of the High Court's jurisdiction under the enactments relating to companies.

##### **Textual Amendments**

- F1** Words substituted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 30(1), **Sch. 7 para. 28(1)(3)**

##### **Modifications etc. (not altering text)**

- C1** [Sch. 1 para. 1](#) extended by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), s. 2(3), **Sch. 2 Pt. 1 para. 1(2)(i)**
- C2** [Sch. 1 para. 1\(i\)](#) amended (31.10.1994) by [1994 c. 26, s. 106\(1\)](#), **Sch. 4 para. 1(2)**; S.I. 1994/2550, **art.2**

##### *Queen's Bench Division*

- 2 To the Queen's Bench Division are assigned—
- (a) applications for writs of habeus corpus, except applications made by a parent or guardian of a minor for such a writ concerning the custody of the minor;
  - (b) applications for judicial review;
  - (c) all causes and matters involving the exercise of the High Court's Admiralty jurisdiction or its jurisdiction as a prize court; and

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- (d) all causes and matters entered in the commercial list.

### Family Division

- 3 To the Family Division are assigned—
- (a) all matrimonial causes and matters (whether at first instance or on appeal);
  - (b) all causes and matters (whether at first instance or on appeal) relating to—
    - (i) legitimacy;
    - [<sup>F2</sup>(ii) the exercise of the inherent jurisdiction of the High Court with respect to minors, the maintenance of minors and any proceedings under the Children Act 1989, except proceedings solely for the appointment of a guardian of a minor’s estate;]
    - (iii) .....<sup>F3</sup>adoption;
    - (iv) non-contentious or common form probate business;
  - (c) applications for consent to the marriage of a minor [<sup>F4</sup>or for a declaration under section 27B(5) of the Marriage Act <sup>M1</sup> 1949];
  - (d) proceedings on appeal under section 13 of the <sup>M2</sup>Administration of Justice Act 1960 from an order or decision made under section 63(3) of the <sup>M3</sup>Magistrates’ Courts Act 1980 to enforce an order of a magistrates’ court made in matrimonial proceedings or with respect to the guardianship of a minor.
  - [<sup>F5</sup>(e) applications under Part III of the Family Law Act 1986.]
  - [<sup>F5</sup>(e) proceedings under the Children Act 1989]
  - [<sup>F6</sup>(f) all proceedings under:—
    - (i) the Domestic Violence and Matrimonial Proceedings Act 1976;
    - (ii) the Child Abduction and Custody Act 1985
    - (iii) the Family Law Act 1986;
    - (iv) section 30 of the Human Fertilisation and Embryology Act 1990;
 and
  - (g) all proceedings for the purpose of enforcing an order made in any proceedings of a type described in this paragraph.]
  - [<sup>F7</sup>(h) all proceedings under the Child Support Act 1991.]

#### Textual Amendments

- F2** Sch. 1 para. 3(b)(ii) substituted (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), s. 108(5)(6), Sch. 13 para. 45(3) (with **Sch. 14 para. 1(1)**); S.I. 1991/828, **art. 3(2)**
- F3** Words repealed by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(2)(4), Sch. 3 paras. 1, 6, **Sch. 4**
- F4** Words inserted by Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16, SIF 49:1), **s. 5**
- F5** Sch. 1 para. 3(e) commencing “applications under” added by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(1), **Sch. 1 para. 26** and Sch. 1 para. 3(e) commencing “proceedings under” added (14. 10. 1991) by Children Act 1989 (c. 41, SIF 20), ss. 92, 108(6), Sch. 11 Pt. II para. 9 (with **Sch. 14 para. 1(1)**); S.I. 1991/828, **art. 3(2)**
- F6** Sch. 1 para. 3(f)(g) added (14.10.1991) by S.I. 1991/1210, **art. 3, Sch**
- F7** Sch. 1 para. 3(h) inserted (5.4.1993) by S.I. 1993/622, **art.3**

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**Marginal Citations**

- M1** 1949 c.76(49:1).
- M2** 1960 c. 65.
- M3** 1980 c. 43.

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