

Status: Point in time view as at 17/07/2015.

Changes to legislation: Senior Courts Act 1981, SCHEDULE 1 is up to date with all changes known to be in force on or before 14 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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 [^{F1}, 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—
- [^{F2}(a) applications for writs of habeas corpus, except applications for a writ of habeas corpus for release relating to a minor;]
 - (b) applications for judicial review;
 - [^{F3}(ba)]
 - [^{F4}(bb) all financial restrictions proceedings within the meaning of Chapter 2 of Part 6 of the Counter-Terrorism Act 2008 (see section 65 of that Act);]
 - [^{F5}(bc) all proceedings—

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- (i) on an appeal under section 26, or an application under section 27, of the Terrorist Asset-Freezing etc. Act 2010 (appeals and reviews by the court), or
- (ii) on a claim arising from any matter to which such an appeal or application relates;]
- [^{F6}(bd) all TPIM proceedings (within the meaning of the Terrorism Prevention and Investigation Measures Act 2011);]
- [^{F7}(be) all TEO proceedings (within the meaning given by paragraph 1 of Schedule 3 to the Counter-Terrorism and Security Act 2015 (proceedings relating to temporary exclusion orders));]
- (c) all causes and matters involving the exercise of the High Court’s Admiralty jurisdiction or its jurisdiction as a prize court; and
- (d) all causes and matters entered in the commercial list.

Textual Amendments

- F2** Sch. 1 para. 2(a) substituted (6.4.2015) by [The High Court \(Distribution of Business\) Order 2014 \(S.I. 2014/3257\)](#), arts. 1, **4(a)**
- F3** Sch. 1 para. 2(ba) omitted (15.12.2011) by virtue of [Terrorism Prevention and Investigation Measures Act 2011 \(c. 23\)](#), s. 31(2), **Sch. 7 para. 1(a)** (with Sch. 8)
- F4** Sch. 1 para. 2(bb) inserted (27.11.2008) by [Counter-Terrorism Act 2008 \(c. 28\)](#), ss. **71**, 100
- F5** Sch. 1 para. 2(bc) inserted (17.12.2010) by [Terrorist Asset-Freezing etc. Act 2010 \(c. 38\)](#), ss. **28(1)**, 55(1) (with s. 44)
- F6** Sch. 1 para. 2(bd) inserted (15.12.2011) by [Terrorism Prevention and Investigation Measures Act 2011 \(c. 23\)](#), s. 31(2), **Sch. 7 para. 1(b)** (with Sch. 8)
- F7** Sch. 1 para. 2(be) inserted (12.2.2015) by [Counter-Terrorism and Security Act 2015 \(c. 6\)](#), ss. **15(1)**, 52(5)

Family Division

- 3 To the Family Division are assigned—
- (a) all matrimonial causes and matters (whether at first instance or on appeal);
 - [^{F8}(aa) applications for a writ of habeas corpus for release relating to a minor;]
 - (b) all causes and matters (whether at first instance or on appeal) relating to—
 - (i) legitimacy;
 - [^{F9}(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) ^{F10} . . . adoption;
 - (iv) non-contentious or common form probate business;
 - (c) applications for consent to the marriage of a minor [^{F11}or for a declaration under section 27B(5) of the Marriage Act ^{M1} 1949];
 - ^{F12}(d)
 - [^{F13}(e) applications under Part III of the Family Law Act 1986.]
 - [^{F13}(e) proceedings under the Children Act 1989]
 - [^{F14}(ea) proceedings under section 79 of the Childcare Act 2006;]
 - [^{F15}(eb) proceedings under section 43 of the Children and Families (Wales) Measure 2010;]

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- [^{F16}(f) all proceedings under:—
- (i) the [^{F17}Part IV [^{F18}or 4A] of the Family Law Act 1996];
 - (ii) the Child Abduction and Custody Act 1985
 - (iii) the Family Law Act 1986;
 - [^{F19}(iv) section 54 of the Human Fertilisation and Embryology Act 2008;]
[Council Regulation (EC) No 2201/2003 of 27th November 2003
^{F20}(v) concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and matters of parental responsibility, so far as that Regulation relates to jurisdiction, recognition and enforcement in parental responsibility matters;]
[the Convention on Jurisdiction, Applicable Law, Recognition,
^{F21}(vi) Enforcement and Co-Operation in respect of Parental Responsibility and Measures for the Protection of Children that was signed at The Hague on 19 October 1996;]
- [all proceedings relating to a debit or credit under section 29(1) or 49(1) of
^{F22}(fa) the Welfare Reform and Pensions Act 1999;]
- (g) all proceedings for the purpose of enforcing an order made in any proceedings of a type described in this paragraph.]
- [^{F23}(h) all proceedings under the Child Support Act 1991.]
- [^{F24}(ha) all proceedings under Part 1 of Schedule 2 to the Female Genital Mutilation Act 2003;]
- [^{F25}(i) all proceedings under sections 6 and 8 of the Gender Recognition Act 2004.]
- [^{F26}(i) all civil partnership causes and matters (whether at first instance or on appeal);
- (j) applications for consent to the formation of a civil partnership by a minor or for a declaration under paragraph 7 of Schedule 1 to the Civil Partnership Act 2004;
 - (k) applications under section 58 of that Act (declarations relating to civil partnerships).]
- [^{F27}(l) proceedings under Regulation (EU) No 606/2013 of the European Parliament and of the Council of 12 June 2013 on mutual recognition of protection measures in civil matters, so far as relating to the recognition and enforcement in England and Wales of a protection measure (within the meaning of that Regulation) ordered in a Member State other than the United Kingdom.]

Textual Amendments

- F8** Sch. 1 para. 3(aa) inserted (6.4.2015) by [The High Court \(Distribution of Business\) Order 2014 \(S.I. 2014/3257\)](#), arts. 1, **4(b)**
- F9** 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)**
- F10** Words repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), s. 33(2)(4), Sch. 3 paras. 1, 6, **Sch. 4**
- F11** Words inserted by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), s. 5
- F12** Sch. 1 para. 3(d) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 10 para. 63**; S.I. 2014/954, **art. 2(d)** (with **art. 3**) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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- F13** 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)**
- F14** Sch. 1 para. 3(ea) inserted (6.4.2007) by Childcare Act 2006 (c. 21), ss. 103(1), 109, **Sch. 2 para. 3**; S.I. 2007/1019, **art. 4**
- F15** Sch. 1 para. 3(eb) inserted (1.4.2011) by Children and Families (Wales) Measure 2010 (nawm 1), s. 75(3), **Sch. 1 para. 4**; S.I. 2010/2582, art. 2, Sch. 1 (with Sch. 2Sch. 3)
- F16** Sch. 1 para. 3(f)(g) added (14.10.1991) by S.I. 1991/1210, art. 3, **Sch**
- F17** Words in Sch. 1 para. 3(f)(i) substituted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 51(b)**; S.I. 1997/1892, **art. 3(1)(b)**
- F18** Words in Sch. 1 para. 3(f)(i) inserted (25.11.2008) by Forced Marriage (Civil Protection) Act 2007 (c. 20), ss. 3(1), 4(2)(4), **Sch. 2 para. 1**; S.I. 2008/2779, **art. 2(c)**
- F19** Sch. 1 para. 3(f)(iv) substituted (6.4.2010) by Human Fertilisation and Embryology Act 2008 (c. 22), s. 68(2), **Sch. 6 para. 21**; S.I. 2010/987, art. 2(g)
- F20** Sch. 1 para. 3(f)(v) inserted (1.3.2005) by The European Communities (Jurisdiction and Judgments in Matrimonial and Parental Responsibility Matters) Regulations 2005 (S.I. 2005/265), **reg. 5**
- F21** Sch. 1 para. 3(f)(vi) inserted (1.11.2012) by The Parental Responsibility and Measures for the Protection of Children (International Obligations) (England and Wales and Northern Ireland) Regulations 2010 (S.I. 2010/1898), reg. 1(2), **Sch. para. 2**
- F22** Sch. 1 para. 3(fa) inserted (1.12.2000) by 1999 c. 30, s. 84, **Sch. 12 para. 1**; S.I. 2000/1116, **art. 2(b)(f)**
- F23** Sch. 1 para. 3(h) inserted (5.4.1993) by S.I. 1993/622, **art. 3**
- F24** Sch. 1 para. 3(ha) inserted (17.7.2015) by Serious Crime Act 2015 (c. 9), s. 88(1), **Sch. 4 para. 5**; S.I. 2015/1428, reg. 2(c)(i)
- F25** Sch. 1 para. 3(i) inserted (21.1.2005) by The High Court (Distribution of Business) Order 2004 (S.I. 2004/3418), **art. 3**
- F26** Sch. 1 para. 3(i)-(k) inserted (15.4.2005 for specified purposes and otherwise prosp.) by virtue of Civil Partnership Act 2004 (c. 33), ss. 261(1), 263, **Sch. 27 para. 70**; S.I. 2005/1112, **art. 2**, Sch. 1
- F27** Sch. 1 para. 3(l) inserted (11.1.2015) by The Civil Jurisdiction and Judgments (Protection Measures) Regulations 2014 (S.I. 2014/3298), regs. 1(4), **3(3)**

Modifications etc. (not altering text)

- C3** Sch. 1 para. 3 modified (6.4.2010) by The Human Fertilisation and Embryology (Parental Orders) Regulations 2010 (S.I. 2010/985), regs. 1(1), 5, **Sch. 4**

Marginal Citations

- M1** 1949 c.76(49:1).

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