



Child Abduction and Custody Act 1985

1985 CHAPTER 60

PART II U.K.

RECOGNITION AND ENFORCEMENT OF CUSTODY DECISIONS

16 Registration of decisions. U.K.

- (1) A person on whom any rights are conferred by a decision relating to custody made by an authority in a Contracting State other than the United Kingdom may make an application for the registration of the decision in an appropriate court in the United Kingdom.
- (2) The Central Authority in the United Kingdom shall assist such a person in making such an application if a request for such assistance is made by him or on his behalf by the Central Authority of the Contracting State in question.
- (3) An application under subsection (1) above or a request under subsection (2) above shall be treated as a request for enforcement for the purposes of Articles 10 and 13 of the Convention.
- (4) The High Court or Court of Session shall refuse to register a decision if—
 - (a) the court is of the opinion that on any of the grounds specified in Article 9 or 10 of the Convention the decision should not be recognised in any part of the United Kingdom;
 - (b) the court is of the opinion that the decision is not enforceable in the Contracting State where it was made and is not a decision to which Article 12 of the Convention applies; or
 - (c) an application in respect of the child under Part I of this Act is pending.
- ^[F1](5) Where an authority mentioned in subsection (1) of section 14 above is requested to assist in making an application under this section to the appropriate court in a part of the United Kingdom (“the relevant part of the United Kingdom”) other than the part in relation to which the authority has functions under that subsection, the authority shall transmit the request to the authority which has functions under that subsection in relation to the relevant part of the United Kingdom.]

Changes to legislation: Child Abduction and Custody Act 1985, Section 16 is up to date with all changes known to be in force on or before 08 July 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) View outstanding changes

(6) In this section “decision relating to custody” has the same meaning as in the Convention.

Textual Amendments

F1 S. 16(5) substituted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 1(2), **Sch. 18 para. 39** (with arts. 28-31)

Modifications etc. (not altering text)

C1 S. 16 applied (with modifications) (1.3.1997) by [S.I. 1996/3156](#), art. 2, **Sch.**
S. 16 applied (with modifications) (2.12.1997) by [S.I. 1997/2574](#) art. 2, **Sch.**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 3 para. 8(ba) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 3\(a\)](#)