



# Child Abduction and Custody Act 1985

## 1985 CHAPTER 60

### PART I

#### INTERNATIONAL CHILD ABDUCTION

#### 9 Suspension of court's powers in cases of wrongful removal.

The reference in Article 16 of the Convention to deciding on the merits of rights of custody shall be construed as a reference to—

- (a) making, varying or revoking a custody order, or [<sup>F1</sup>a supervision order under section 31 of the Children Act 1989] or [<sup>F2</sup>Article 50 of the Children (Northern Ireland) Order 1995];
- [<sup>F3</sup>(aa) enforcing under section 29 of the Family Law Act 1986 a custody order within the meaning of Chapter V of Part I of that Act;]
- (b) registering or enforcing a decision under Part II of this Act;
- [<sup>F4</sup>(c) .....
- [<sup>F5</sup>(d) making, varying or discharging an order under section 86 of the Children (Scotland) Act 1995;]
- [<sup>F6</sup>(e) .....

#### Textual Amendments

- F1** Words in s. 9(a) substituted (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108, Sch. 13 para. 57(1), **Sch. 14 para. 1(1)**; S.I. 1991/828, **art. 3(2)**
- F2** Words in s. 9(a) substituted (4.11.1996) by S.I. 1995/756, **art. 11(2)**; S.R. 1996/297, **art. 3**
- F3** S. 9(aa) inserted by Family Law Act 1986 (c. 55, SIF 49:3), s. 68(1), **Sch. 1 para. 28**
- F4** S. 9(c) repealed (14.10.1991) by Children Act 1989 (c. 41, SIF 20), s. 108(6)(7), Sch. 14 para. 27(4), **Sch. 15**; S.I. 1991/828 art. 3(2)
- F5** S. 9(d) substituted (1.4.1997) by 1995 c. 36, s. 105(4), **Sch. 4 para. 37(2)** (with s. 103(1)); S.I. 1996/3201, **art. 3(7)**
- F6** S. 9(e) repealed (4.11.1996) by S.I. 1995/756, art. 15, **Sch.**; S.R. 1996/297, **art. 3**

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*Status: Point in time view as at 01/04/1997. This version of this provision has been superseded.*

**Changes to legislation:** *Child Abduction and Custody Act 1985, Section 9 is up to date with all changes known to be in force on or before 08 May 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)*

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

- C1** S. 9 applied (with modifications) (1.3.1997) by S.I. 1996/3156, art. 2, Sch.  
S. 9 applied (with modifications) (2.12.1997) by S.I. 1997/2574 art. 2, Sch.

**Status:**

Point in time view as at 01/04/1997. This version of this provision has been superseded.

**Changes to legislation:**

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