

Status: Point in time view as at 03/04/2006.

Changes to legislation: Children Act 1989, Paragraph 2 is up to date with all changes known to be in force on or before 20 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)

SCHEDULES

SCHEDULE 11

JURISDICTION

Modifications etc. (not altering text)

- C1 Sch. 11 applied (6.4.2007) by Childcare Act 2006 (c. 21), ss. 79(4), 109; S.I. 2007/1019, art. 4
- C1 Sch. 11 applied by Childcare Act 2006 (c. 21), s. 98F(5) (as inserted (12.1.2010) by 2009 c. 22, ss. 199, 269(2)(b))
- C1 Sch. 11 applied (W.) (1.4.2011) by Children and Families (Wales) Measure 2010 (nawm 1), ss. 43(4), 75; S.I. 2010/2582, art. 2, Sch. 1 (subject to arts. 3, 4, 5) (as amended by S.I. 2011/577, art. 2)

PART I

GENERAL

Modifications etc. (not altering text)

- C1 Sch. 11 Pt. I applied (1.8.1991) by Human Fertilisation and Embryology Act 1990 (c. 37, SIF 83:1), ss. 39(3), 43(2); S.I. 1991/1400, art. 2(2)
Sch. 11 Pt. I applied (1.1.1994) by Human Fertilisation and Embryology Act 1990 (c. 37, SIF 83:1), s. 30(8)(a); S.I. 1994/1776, art. 2(1)
- C1 Sch. 11 Pt. I applied by Human Fertilisation and Embryology Act 1990 (c. 37, SIF 83:1), ss. 30(8)(a), 39(3), 43(2)

Transfer of proceedings

- 2 (1) The Lord Chancellor may [^{F1} after consulting the Lord Chief Justice,] by order provide that in specified circumstances the whole, or any specified part of, specified proceedings to which this paragraph applies shall be transferred to—
- (a) a specified level of court;
 - (b) a court which falls within a specified class of court; or
 - (c) a particular court determined in accordance with, or specified in, the order.
- (2) Any order under this paragraph may provide for the transfer to be made at any stage, or specified stage, of the proceedings and whether or not the proceedings, or any part of them, have already been transferred.
- (3) The proceedings to which this paragraph applies are—
- (a) any proceedings under this Act;
 - (b) any proceedings under [^{F2}the Adoption and Children Act 2002];
 - [^{F3}(ba) any proceedings under section 55A of the ^{M1}Family Law Act 1986]

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- (bb) [^{F4}any proceedings under] section 20 (appeals) ^{F5} . . . of the Child Support Act 1991;
- (c) any other proceedings which—
- (i) are family proceedings for the purposes of this Act, other than proceedings under the inherent jurisdiction of the High Court; and
 - (ii) may affect, or are otherwise connected with, the child concerned.
- (4) Proceedings to which this paragraph applies by virtue of sub-paragraph (3)(c) may only be transferred in accordance with the provisions of an order made under this paragraph for the purpose of consolidating them with proceedings under—
- (a) this Act;
 - (b) [^{F2}the Adoption and Children Act 2002]; or
 - (c) the High Court’s inherent jurisdiction with respect to children.
- (5) An order under this paragraph may make such provision as the Lord Chancellor thinks appropriate [^{F6}, after consulting the Lord Chief Justice,] for excluding proceedings to which this paragraph applies from the operation of any enactment which would otherwise govern the transfer of those proceedings, or any part of them.

Textual Amendments

- F1** Words in Sch. 11 para. 2(1) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 15(1), {Sch. 4 para. 210(3)(a)}; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(r)
- F2** Words in Sch. 11 para. 2 substituted (30.12.2005) by 2002 c. 38, ss. 139, 148, Sch. 3 para. 75 (with Sch. 4 paras. 6-8); S.I. 2005/2213, **art. 2(o)**
- F3** Sch. 11 Pt. I para. 2(3)(ba) inserted (1.4.2001) by 2000 c. 19, s. 83(5), **Sch. 8 para. 10(3)(a)** (with s. 83(6)); S.I. 2001/774, **art. 2(c)**
- F4** Words in Sch. 11 Pt. I para. 2(3)(bb) inserted (1.4.2001) by 2000 c. 19, s. 83(5), **Sch. 8 para. 10(3)(b)** (with s. 83(6)); S.I. 2001/774, **art. 2(c)**
- F5** Words in Sch. 11 Pt. I para. 2(3)(bb) repealed (1.4.2001) by 2000 c. 19, s. 85, **Sch. 9 Pt. IX** (with s. 83(6)); S.I. 2001/774, **art. 2(d)**
- F6** Words in Sch. 11 para. 2(5) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), s. 15(1), **Sch. 4 para. 210(3)(b)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(r)

Commencement Information

- I1** Sch. 11 Pt. I para. 2 wholly in force at 14.10.1991 see s. 108(2)(3) and S.I. 1991/828, **art. 3(2)**

Marginal Citations

- M1** 1986 c. 55.

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