

SCHEDULES

SCHEDULE 3

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

FAMILY PROCEEDINGS

Children and Young Persons Act 1933 (c. 12)

3 In section 39 (power to prohibit publication of certain matters in newspapers), after subsection (2) there is inserted—

“(2A) Nothing in this section applies in relation to proceedings to which section 11 of the Children, Schools and Families Act 2010 (restriction on publication of information relating to family proceedings) applies.”

Administration of Justice Act 1960 (c. 65)

4 (1) Section 12 (publication of information relating to proceedings in private) is amended as follows.

(2) In subsection (1), paragraph (a) is omitted.

(3) After subsection (4) there is inserted—

“(5) Subsection (1) is subject to Part 2 of the Children, Schools and Families Act 2010 (family proceedings), and nothing in subsection (2) applies in relation to a contempt of court under section 11 of that Act (restriction on publication of information relating to family proceedings).”

5 In Schedule 2 (modifications of Act in relation to Northern Ireland), in Part 2, in sub-paragraph (1) of the modifications of section 12 for “For paragraph (a) of subsection (1) there shall be substituted” there is substituted “Before paragraph (b) of subsection (1) there is inserted”.

Magistrates’ Courts Act 1980 (c. 43)

6 In section 69 (sittings of magistrates’ courts for family proceedings), subsections (2) to (6) are omitted.

7 Section 71 (newspaper reports of family proceedings) is omitted.

8 (1) Section 145 (rules of court: supplementary provision) is amended as follows.

(2) In subsection (1), in paragraph (ga), for the words from “proceedings” to “1960” there is substituted “family proceedings”.

Status: This is the original version (as it was originally enacted).

(3) After that subsection there is inserted—

“(1A) In subsection (1)(ga) “family proceedings which are held in private” means family proceedings at which the public have no right to be present.”

Matrimonial and Family Proceedings Act 1984 (c. 42)

9 In section 40 (family proceedings rules), after subsection (4) there is inserted—

“(4A) In subsection (4)(aa) “family proceedings held in private” means family proceedings at which the public have no right to be present.”

Children Act 1989 (c. 41)

10 In section 97 (privacy for children involved in certain proceedings), subsections (2) to (9) are omitted.

11 In section 104 (regulations and orders), in subsection (1), for “, 84 or 97(4)” there is substituted “or 84”.

Adoption and Children Act 2002 (c. 38)

12 In section 101 (privacy in adoption proceedings), subsection (1) is omitted.

13 In section 141 (rules of procedure), after subsection (6) there is inserted—

“(7) In subsection (6) “proceedings held in private” means proceedings at which the public have no right to be present.”

Courts Act 2003 (c. 39)

14 In section 76 (further provision about scope of Family Procedure Rules), after subsection (2A) there is inserted—

“(2B) In subsection (2A) “family proceedings held in private” means family proceedings at which the general public have no right to be present.”