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*Status: Point in time view as at 01/06/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Crime and Courts Act 2013, Paragraph 51. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 11

#### TRANSFER OF JURISDICTION TO FAMILY COURT

##### PART 1

##### AMENDMENTS OF ENACTMENTS

###### *Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

- 51 (1) Section 34A (variation of orders by magistrates' courts in England and Wales) is amended as follows.
- (2) In subsection (1) (application of certain provisions)—
- (a) for “a magistrates' court in England and Wales” substitute “ the family court ”, and
- (b) for paragraph (a) substitute—
- “ (a) section 1(3A) of the Maintenance Enforcement Act 1991; ”.
- (3) In subsection (2) (court may exercise one of powers under subsection (3) upon varying order) for “a magistrates' court in England and Wales” substitute “ the family court ”.
- (4) In subsection (3) (available powers)—
- (a) in each of paragraphs (a) and (b) for the words from “the designated” to “Wales” substitute “ the court ”, and
- (b) in paragraph (b) for “59(6) of the Magistrates' Courts Act 1980” substitute “ 1(5) of the Maintenance Enforcement Act 1991 ”.
- (5) Omit subsections (4) to (8) (variation by justices' clerk).
- (6) In subsection (9) (deciding on exercise of powers)—
- (a) for “subsections (2) and (8)” substitute “ subsection (2) ”,
- (b) for “which of the” substitute “ whether to exercise any of its ”,
- (c) omit “it is to exercise”, and
- (d) after “debtor” insert “ or the creditor ”.
- (7) In subsection (10) (power to require account to be opened) for “Subsection (4) of section 59 of the Magistrates' Courts Act 1980” substitute “ Subsection (6) of section 1 of the Maintenance Enforcement Act 1991 ”.
- (8) In subsection (11) (meaning of “creditor” and “debtor”) for “section 59 of the Magistrates' Courts Act 1980” substitute “ section 1 of the Maintenance Enforcement Act 1991 ”.
- (9) In the title for “magistrates' courts” substitute “ the family court ”.

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### **Commencement Information**

- II** [Sch. 11 para. 51](#) in force at 22.4.2014 by [S.I. 2014/954](#), [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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