
STATUTORY INSTRUMENTS

1997 No. 1896

**The Family Law Act 1996 (Part IV)
(Allocation of Proceedings) Order 1997**

COMMENCEMENT OF PROCEEDINGS

Commencement of proceedings

4.—(1) Subject to section 59, paragraph 1 of Schedule 7 and the provisions of this article, proceedings under Part IV may be commenced in a county court or in a family proceedings court.

(2) An application—

- (a) under Part IV brought by an applicant who is under the age of eighteen; and
- (b) for the grant of leave under section 43 (Leave of court required for applications by children under sixteen),

shall be commenced in the High Court.

(3) Where family proceedings are pending in a county court or a family proceedings court, an application under Part IV may be made in those proceedings.

Application to extend, vary or discharge order

5.—(1) Proceedings under Part IV—

- (a) to extend, vary or discharge an order, or
- (b) the determination of which may have the effect of varying or discharging an order,

shall be made to the court which made the order.

(2) A court may transfer proceedings made in accordance with paragraph (1) to any other court in accordance with the provisions of articles 6 to 14.