

**2005 No. 2924**

**FAMILY PROCEEDINGS**

**SUPREME COURT OF ENGLAND AND WALES**

**COUNTY COURTS, ENGLAND AND WALES**

**The Family Law Act 1996 (Part IV)(Allocation of Proceedings)(Amendment) Order 2005**

<i>Made</i> - - - -	<i>18th October 2005</i>
<i>Laid before Parliament</i>	<i>25th October 2005</i>
<i>Coming into force</i> - -	<i>5th December 2005</i>

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 57 of the Family Law Act 1996(a):

**Citation, Commencement and Interpretation**

1.—(1) This Order may be cited as the Family Law Act 1996 (Part IV) (Allocation of Proceedings) (Amendment) Order 2005 and shall come into force on 5<sup>th</sup> December 2005.

(2) In this Order a reference to an article by number alone is a reference to the article so numbered in the Family Law Act 1996 (Part IV)(Allocation of Proceedings) Order 1997(b).

**Amendments to the Family Law Act 1996 (Part IV) (Allocation of Proceedings) Order 1997**

2. In article 2 for paragraph (a) substitute—

“(a) designated county courts, being those courts designated for the time being—

- (i) as divorce county courts by an order under section 33 of the Matrimonial and Family Proceedings Act 1984(c); or
- (ii) as civil partnership proceedings county courts by an order under section 36A of the Matrimonial and Family Proceedings Act 1984(d); or
- (iii) as both divorce county courts and civil partnership proceedings county courts by such orders.”

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(a) 1996 c.27.

(b) S.I.1997/1896.

(c) 1984 c.42.

(d) Section 36A was inserted by paragraph 92 of Schedule 27 to the Civil Partnership Act 2004 (c.33), from a date to be appointed.

3. In article 16(1) for “divorce county court,” substitute “designated county court.”

*Falconer of Thoroton, C*

18th October 2005

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This order amends the Family Law Act 1996 (Part IV) (Allocation of Proceedings) Order 1997 (“the Order”) as a result of the implementation of the Civil Partnership Act 2004(c.33), which received Royal Assent on 18 November 2004. **Article 2** of this order is amended to create a new class of court known as a “designated county court” which includes both divorce county courts (as under the order prior to amendment) and civil partnership proceedings county courts in the classes of county court specified for the purpose of the Order. **Article 3** enables the principal registry of the Family Division of the High Court to be treated as if it were either a divorce county court or a civil partnership proceedings county court where necessary.

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