
STATUTORY INSTRUMENTS

2008 No. 2836

The Allocation and Transfer of Proceedings Order 2008

PART 3

TRANSFER OF PROCEEDINGS

SECTION 1

GENERAL

Disapplication of enactments about transfer

12. The proceedings to which this Order applies are excluded from the operation of sections 38 and 39 of the Matrimonial and Family Proceedings Act 1984 (transfer of family proceedings).

General rules about transfer of proceedings

13.—(1) When making any decision about the transfer of proceedings under articles 14, 15, 17 and 18 the court must have regard to the need to avoid delay in the proceedings.

(2) Articles 16 and 19 do not apply if the transfer of proceedings would cause the determination of the proceedings to be delayed.

(3) The transfer of proceedings under this Part may be made at any stage of the proceedings and whether or not the proceedings have already been transferred.