
STATUTORY INSTRUMENTS

2014 No. 840

The Family Court (Composition and
Distribution of Business) Rules 2014

PART 5

Distribution of business of the family court

Allocation: applications in existing proceedings or in connection with proceedings that have concluded

17.—(1) Subject to paragraphs (3) to (5), an application made within existing proceedings in the family court shall be allocated to the level of judge who is dealing with the existing proceedings to which the application relates.

(2) Subject to paragraphs (3) to (5), an application made in connection with proceedings in the family court that have concluded shall be allocated to the level of judge who last dealt with those proceedings.

(3) In Schedule 2—

- (a) the remedies listed in tables 1, 2 and 3 may not be granted by lay justices;
- (b) the remedies listed in tables 2 and 3 may not be granted by a judge of district judge level;
- (c) the remedies listed in table 3 may not be granted by a judge of circuit judge level, subject to any exception stated in that table.

(4) Where the effect of Schedule 2 is that an application for a particular remedy may not be granted by the level of judge referred to in paragraph (1) or (2), then that application shall be allocated to a level of judge who is able to grant that remedy.

(5) Any power of the family court to make an order for committal in respect of a breach of a judgment, order or undertaking to do or abstain from doing an act may only be made by a judge of the same level as, or of a higher level than, the judge who make the judgment or order, or who accepted the undertaking, as the case may be.

Status:

Point in time view as at 17/07/2015.

Changes to legislation:

There are currently no known outstanding effects for the The Family Court (Composition and Distribution of Business) Rules 2014, Section 17.