

SCHEDULE 1

Rule 15

Allocation

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<i>Type of proceedings</i>	<i>Level of judge</i>
<b>1. Proceedings under—</b>	Lay justices.
(a) (a) the Maintenance Orders (Facilities for Enforcement) Act 1920 <sup>M1</sup> ;	
(b) (b) the Marriage Act 1949 <sup>M2</sup> ;	
(c) (c) the Maintenance Orders Act 1950 <sup>M3</sup> ;	
(d) (d) the Maintenance Orders Act 1958 <sup>M4</sup> ;	
(e) (e) the Maintenance Orders (Reciprocal Enforcement) Act 1972 <sup>M5</sup> ;	
(f) (f) the Domestic Proceedings and Magistrates' Courts Act 1978 <sup>M6</sup> ;	
(g) (g) the Civil Jurisdiction and Judgments Act 1982 <sup>M7</sup> ;	
(h) (h) the Family Law Act 1986, section 55A (declarations of parentage) [ <sup>F1</sup> , except where the application is made by a birth parent in respect of a child under the age of 18 following the lawful adoption of that child] <sup>M8</sup> ;	
(i) (i) the Child Support Act 1991, except section 32L <sup>M9</sup> or appeals;	
(j) (j) the Crime and Disorder Act 1998, section 11 <sup>M10</sup> (child safety order);	
(k) (k) Council Regulation (EC) No.44/2001 (known as the Judgments Regulation) <sup>M11</sup> ;	
(l) (l) section 34 of the Children and Families (Wales) Measure 2010 <sup>M12</sup> ;	
(m) (m) Schedule 6 to the Civil Partnership Act 2004 <sup>M13</sup> ;	
(n) (n) the Childcare Act 2006, except section 79;	

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- (o) (o) the Human Fertilisation and Embryology Act 2008, section 54 <sup>M14</sup>[<sup>F2</sup>or section 54A], where the child's place of birth was in England and Wales and where all respondents agree to the making of the order;
- (p) (p) Council Regulation (EC) No. 4/2009 (known as the Maintenance Regulation) <sup>M15</sup>[<sup>F3</sup>.]
- [<sup>F4</sup>(q) [<sup>F4</sup>(q) the Protection Measures Regulation for enforcement of an incoming protection measure.]

2. Proceedings under— Judge of district judge level

- (a) (a) the Married Women's Property Act 1882 <sup>M16</sup>;
- (b) (b) the Matrimonial Causes Act 1973 <sup>M17</sup>;
- (c) (c) the Matrimonial and Family Proceedings Act 1984 sections 13 and 12 <sup>M18</sup> (permission and substantive application) <sup>F5</sup>...;
- (d) (d) the Children Act 1989, Schedule 1 <sup>M19</sup>;
- (e) (e) the Gender Recognition Act 2004 <sup>M20</sup>, except appeals under section 8(1) and referrals to the court under section 8(5);
- (f) (f) the Civil Partnership Act 2004, except under—
  - (i) Schedule 6 (financial provision corresponding to provision made by the Domestic Proceedings and Magistrates' Courts Act 1978) [<sup>F6</sup>.]
  - <sup>F7</sup>(ii) .....

3. Proceedings under— Judge of circuit judge level.

- (a) (a) the Family Law Act 1986 section 55 <sup>M21</sup> (declarations as to marital status), 56 <sup>M22</sup> (declarations as to legitimacy or legitimation) or 57 <sup>M23</sup>(declarations as to adoptions effected overseas);

- (b) (b) the Child Support Act 1991 under section 32L (orders preventing avoidance);
- (c) (c) the Human Fertilisation and Embryology Act 2008, section 54 [<sup>F8</sup>or section 54A], where the child's place of birth was in England and Wales but where not all respondents agree to the making of the order.

4. Proceedings under— Judge of High Court judge level

- <sup>F9</sup>(a) <sup>F9</sup>(a) . . .
- (b) (b) the Adoption and Children Act 2002, section 60(3) (order to disclose or to prevent disclosure of information to an adopted person);
- (c) (c) the Adoption and Children Act 2002, section 79(4) (order for Registrar General to give information);
- <sup>F10</sup>(d) <sup>F10</sup>(d) . . .
- (e) (e) referrals to the court under section 8(5) of the Gender Recognition Act 2004;
- (f) (f) the Human Fertilisation and Embryology Act 2008, section 54 [<sup>F11</sup>or section 54A], where the child's place of birth was outside of England and Wales[<sup>F12</sup>;
- [<sup>F13</sup>(g) [<sup>F13</sup>(g) Article 13 of the Protection Measures [<sup>F14</sup>Regulation;]]
- [<sup>F15</sup>(h) [<sup>F15</sup>(h) the Family Law Act 1986, section 55A (declarations of parentage) where the application is made by a birth parent in respect of a child under the age of 18 following the lawful adoption of that child.]

5. Proceedings under the Adoption and Children Act 2002 under— Level of judge who is dealing with, or has dealt with, proceedings relating to the same child or, if there are or were no such proceedings, to lay justices.

- (a) (a) section 21 <sup>M24</sup> (placement order);
- (b) (b) section 23 (order varying a placement order);

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- (c) (c) section 24 (order revoking a placement order);
- (d) (d) section 26<sup>M25</sup> (contact order);
- (e) (e) section 27 (order varying or revoking a contact order);
- (f) (f) section 28(2) or (3) (order permitting the child's name to be changed or the removal of the child from the United Kingdom);
- (g) (g) section 46<sup>M26</sup> (adoption order) except where—
  - (i) a local authority is a party to the application;
  - (ii) the application is for an overseas adoption within the meaning given in section 87 of the Adoption and Children Act 2002; or
  - (iii) the application is for a Convention adoption within the meaning given in section 66(1)(c) of the Adoption and Children Act 2002;
- (h) (h) section 51A(2)(a) or (b)<sup>M27</sup> (post-adoption contact);
- (i) (i) section 55<sup>M28</sup> (revocation of adoption on legitimation);
- (j) (j) paragraph 4 of Schedule 1 (amendment of orders).

**6.** Proceedings under the Adoption and Children Act 2002 under section 46 (adoption order) where — Level of judge who is dealing with, or dealt with, proceedings relating to the same child or, if there are or were no such proceedings, to a judge of district judge level.

- (a) (a) a local authority is a party to the application;
  - (b) (b) the application is for an overseas adoption within the meaning given in section 87 of the Adoption and Children Act 2002; or
  - (c) (c) the application is for a Convention adoption within the meaning given in section 66(1)(c) of the Adoption and Children Act 2002.
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### Textual Amendments

- F1** Words in Sch. 1 para. 1(h) inserted (8.4.2024) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2024 (S.I. 2024/258), rules 1(2), **2(3)(a)**
- F2** Words in Sch. 1 para. 1(o) inserted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 5(2)(a)**
- F3** Semicolon in Sch. 1 para. 1(p) substituted for full stop (11.1.2015) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2014 (S.I. 2014/3297), rules 1, **5(a)(i)**
- F4** Sch. 1 para. 1(q) inserted (11.1.2015) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2014 (S.I. 2014/3297), rules 1, **5(a)(ii)**
- F5** Words in Sch. 1 para. 2(c) omitted (24.5.2021) by virtue of The Family Court (Composition and Distribution of Business) (Amendment) Rules 2021 (S.I. 2021/505), rules 1(2), **4(a)(i)**
- F6** Sch. 1 para. 2(f)(i): full stop substituted for word (24.5.2021) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2021 (S.I. 2021/505), rules 1(2), **4(a)(ii)(aa)**
- F7** Sch. 1 para. 2(f)(ii) omitted (24.5.2021) by virtue of The Family Court (Composition and Distribution of Business) (Amendment) Rules 2021 (S.I. 2021/505), rules 1(2), **4(a)(ii)(bb)**
- F8** Words in Sch. 1 para. 3(c) inserted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 5(2)(b)**
- F9** Sch. 1 para. 4(a) omitted (24.5.2021) by virtue of The Family Court (Composition and Distribution of Business) (Amendment) Rules 2021 (S.I. 2021/505), rules 1(2), **4(b)**
- F10** Sch. 1 para. 4(d) omitted (24.5.2021) by virtue of The Family Court (Composition and Distribution of Business) (Amendment) Rules 2021 (S.I. 2021/505), rules 1(2), **4(b)**
- F11** Words in Sch. 1 para. 4(f) inserted (3.1.2019) by The Human Fertilisation and Embryology Act 2008 (Remedial) Order 2018 (S.I. 2018/1413), art. 1(1), **Sch. 2 para. 5(2)(c)**
- F12** Semicolon in Sch. 1 para. 4(f) substituted for full stop (11.1.2015) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2014 (S.I. 2014/3297), rules 1, **5(b)(i)**
- F13** Sch. 1 para. 4(g) inserted (11.1.2015) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2014 (S.I. 2014/3297), rules 1, **5(b)(ii)**
- F14** Word in Sch. 1 para. 4(g) substituted (8.4.2024) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2024 (S.I. 2024/258), rules 1(2), **2(3)(b)(i)**
- F15** Sch. 1 para. 4(h) inserted (8.4.2024) by The Family Court (Composition and Distribution of Business) (Amendment) Rules 2024 (S.I. 2024/258), rules 1(2), **2(3)(b)(ii)**

### Marginal Citations

- M1** 1920 c.33.
- M2** 1949 c.76.
- M3** 1950 c.37.
- M4** 1958 c.39.
- M5** 1972 c.18.
- M6** 1978 c.22.
- M7** 1982 c.27.
- M8** Section 55A was inserted by section 83 of the [Child Support, Pensions and Social Security Act 2000](#) (c.19) and was amended by paragraph 95 of Schedule 11 to the [Crime and Courts Act 2013](#).
- M9** Section 32L was inserted by the [Child Maintenance and Other Payments Act 2008](#) (c.6) and was amended by paragraph 124 of Schedule 11 to the [Crime and Courts Act 2013](#) and by S.I. 2012/2007.
- M10** [1998 c.37](#). Section 11 was amended by Part 4 of Schedule 5 to the [Children Act 2004](#) (c.31), **Part 13** of Schedule 8 to the [Policing and Crime Act 2009](#) (c.26), and paragraph 147 of Schedule 11 to the [Crime and Courts Act 2013](#).
- M11** Council Regulation (EC) No.44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.
- M12** [2010 nawm 1](#).

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- M13** Schedule 6 was amended by paragraphs 178 to 200 of Schedule 11 to the Crime and Courts Act 2013 and by [S.I. 2006/1016](#) and 2011/1484.
- M14** [2008 c.22](#). Section 54 was amended by paragraph 206 of Schedule 11 to the Crime and Courts Act 2013.
- M15** Council Regulation (EC) No 4/2009 of 18th December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and co-operation in matters relating to maintenance obligations, including as applied to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark.
- M16** [1882 c.75](#).
- M17** [1973 c.18](#).
- M18** Section 12 was amended by paragraph 90 of Schedule 27 to the Civil Partnership Act 2004.
- M19** Schedule 1 was amended by paragraph 10 of Schedule 16 to the Courts and Legal Services Act 1990, section 6 of the [Maintenance Enforcement Act 1991 \(c.17\)](#), [section 58](#) of the Child Support Act 1991, Part 5 of Schedule 15 to the Access to Justice Act 1999 (c.22), [Part 1](#) of Schedule 9 and paragraph 10 of Schedule 3 to the Child Support, Pensions and Social Security Act 2000, paragraph 71 of Schedule 3 to the Adoption and Children Act 2002, paragraphs 330 and 338 of Schedule 8 to the Courts Act 2003, section 78 of the Civil Partnership Act 2004, paragraph 209 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005, paragraph 32 of Part 1 of Schedule 6 to the Human Fertilisation and Embryology Act 2008, paragraphs 102, 112 and 117 to 119 of Schedule 11 to the Crime and Courts Act 2013, paragraph 40 of Schedule 1 to the [Children and Families Act 2014 \(c.6\)](#) and [S.I. 1992/709](#), 1993/623, 1994/731, 2011/1484 and 2012/2814.
- M20** [2004 c.7](#).
- M21** Section 55 was amended by paragraph 4 of Schedule 8 to the Child Support, Pensions and Social Security Act 2000 and paragraph 96 of Schedule 11 to the Crime and Courts Act 2013.
- M22** Section 56 was substituted by section 22 of the [Family Law Reform Act 1987 \(c.42\)](#) and amended by paragraph 5 of Schedule 9 and paragraph 5 of Schedule 8 to the Child Support, Pensions and Social Security Act 2000, paragraph 23 of Part 1 of Schedule 6 to the Human Fertilisation and Embryology Act 2008 and paragraph 98 of Schedule 11 to the Crime and Courts Act 2013.
- M23** Section 57 was amended by paragraph 6 of Schedule 8 to the Child Support, Pensions and Social Security Act 2000, paragraphs 46 and 49 of Schedule 3 to the Adoption and Children Act 2002 and paragraph 99 of Schedule 1 to the Crime and Courts Act 2013.
- M24** Section 21 was amended by section 79 of the Civil Partnership Act 2004.
- M25** Section 26 was amended by paragraph 14 of Schedule 2 to the [Children and Adoption Act 2006 \(c.20\)](#) and section 9(3) of, and paragraph 60 of Schedule 2 to, the Children and Families Act 2014.
- M26** Section 46 was amended by [S.I. 2013/1465](#).
- M27** Section 51A was inserted by section 9(1) of the Children and Families Act 2014.
- M28** Section 55 was amended by paragraph 412 of Schedule 8 to the Courts Act 2003 and by paragraph 153 of Schedule 11 to the Crime and Courts Act 2013.

**Changes to legislation:**

There are currently no known outstanding effects for the The Family Court (Composition and Distribution of Business) Rules 2014, SCHEDULE 1.