STATUTORY INSTRUMENTS

2001 No. 775 (L. 12)

FAMILY PROCEEDINGS, ENGLAND AND WALES

The Children (Allocation of Proceedings) (Amendment) Order 2001

Made - - - -	*6th March 2001*
Laid before Parliament	*8th March 2001*
Coming into force	*1st April 2001*

The Lord Chancellor, in exercise of the powers conferred on him by section 92(9) and (10) of, and Part I of Schedule 11 to, the Children Act 1989**(a)**, hereby makes the following Order:—

1. This Order may be cited as the Children (Allocation of Proceedings) (Amendment) Order 2001 and shall come into force on 1st April 2001.

2. This Order applies to proceedings begun after 1st April 2001.

3. The Children (Allocation of Proceedings) Order 1991**(b)** shall be amended in accordance with the provisions of this Order and, in those provisions, any reference to an article or Schedule by number alone shall be construed as a reference to the article so numbered in the said Order of 1991 or the Schedule to that Order which is so numbered.

4. In article 3(1), delete sub-paragraph (s).

5. In each of articles 6(2)(c), 10(2)(c), 12(2)(c) and 13(2)(c)—

(a) delete "(s),"; and

(b) after "article 3(1)" insert "and under section 55A of the Family Law Act 1986**(c)**".

6. In article 7(1), after "article 3(1)" insert "or proceedings under section 55A of the Family Law Act 1986".

7.—(1) Schedule 1 shall be amended as provided in the following paragraphs of this article.

(2) In the section headed "Midland and Oxford Circuit"—

(a) in the heading, delete "and Oxford"; and

(b) delete the entries for Grimsby, Oxford and Peterborough County Courts.

(3) In the section headed "North Eastern Circuit", after the entry for Durham County Court insert "Grimsby County Court".

(4) In the section headed "South Eastern Circuit", after the entry for Norwich County Court insert:

(a) 1989 c. 41; Schedule 11 was amended by the Child Support Act 1991 (c. 48), section 45(3), and by the Child Support, Pensions and Social Security Act 2000 (c. 19), section 83 and Schedule 8, paragraph 10.

(b) S.I. 1991/1677; relevant amending instruments are S.I. 1993/624, 1994/2164 and 3138, 1995/1649, 1997/1897 and 1999/524.

(c) 1986 c. 55; section 55A was inserted by the Child Support, Pensions and Social Security Act 2000 (c. 19), section 83.

"Oxford County Court

Peterborough County Court".

8.—(1) Schedule 2 shall be amended as provided in the following paragraphs of this article.

(2) In the section headed "Midland and Oxford Circuit"—

(a) in the heading, delete "and Oxford"; and

(b) delete the entries for the petty sessions areas of Abingdon, Barton-on-Humber, Bicester, Brigg, Cambridge, Didcot and Wantage, East Oxfordshire, Ely, Epworth and Goole, Grimsby and Cleethorpes, Henley, Huntingdon, Newmarket, North Oxfordshire and Chipping Norton, North Witchford, Oxford, Peterborough, Scunthorpe, Toseland, Wisbech, Witney and Woodstock.

(3) In the section headed "North Eastern Circuit"—

(a) after the entry for the petty sessions area of Gateshead insert—

"Grimsby and Cleethorpes	Kingston-upon-Hull County Court
Goole and Howdenshire	Kingston-upon-Hull County Court";

(b) after the entry for the petty sessions area of North Holderness insert—

"North Lincolnshire	Kingston-upon-Hull County Court";

and

(c) delete the entry for the petty sessions area of Howdenshire.

(4) In the section headed "South Eastern Circuit"—

(a) before the entry for the petty sessions area of Ampthill insert—

"Abingdon	Oxford County Court";

(b) after the entry for the petty sessions area of Bexley insert—

"Bicester	Oxford County Court";

(c) after the entry for the petty sessions area of Dartford insert—

"Didcot and Wantage	Oxford County Court";

(d) after the entry for the petty sessions area of East Dereham insert—

"East Oxfordshire	Oxford County Court";

(e) after the entry for the petty sessions area of Havering insert—

"Henley	Oxford County Court";

(f) after the entry for the petty sessions area of North Hertfordshire insert—

"North Oxfordshire and Chipping Norton	Oxford County Court";

(g) after the entry for the petty sessions area of Norwich insert—

"Oxford	Oxford County Court";

(h) after the entry for the petty sessions area of Wisbech insert—

"Witney	Oxford County Court";

and

(i) after the entry for the petty sessions area of Woodbridge insert—

"Woodstock	Oxford County Court".

Dated 6th March 2001 *Irvine of Lairg,* C.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the Children (Allocation of Proceedings) Order 1991 to cover proceedings under section 55A of the Family Law Act 1986 (declarations of parentage), which was inserted by the Child Support, Pensions and Social Security Act 2000. That section combines proceedings under the former section 56(1)(a) of the 1986 Act and proceedings under the former section 27 of the Child Support Act 1991. It will be possible (but not obligatory, as was the case with proceedings under section 27 of the 1991 Act) to begin proceedings under section 55A of the 1986 Act in a magistrates' court. The Order makes the necessary changes consequential on the introduction of the new section and provides for such proceedings to be transferred to other courts in certain circumstances.

The Order also makes amendments to Schedule 1 to the Order (which groups family hearing centres according to circuit), and Schedule 2 (which allocates care centres to petty sessions areas, again grouped according to circuit) to implement a reorganisation of circuit boundaries under which Grimsby and Scunthorpe County Courts are reallocated from the Midland and Oxford Circuit to the North Eastern Circuit, and Banbury, Huntingdon, Oxford and Peterborough County Courts from the Midland and Oxford Circuit to the South Eastern Circuit. The Midland and Oxford Circuit will now be known as the Midland Circuit.

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