STATUTORY INSTRUMENTS

2017 No. 198 (L. 4)

FAMILY PROCEEDINGS

SENIOR COURTS OF ENGLAND AND WALES

FAMILY COURT, ENGLAND AND WALES

The Courts Act 2003 (Amendment) Order 2017

Made - - - -	*22nd February 2017*
Laid before Parliament	*23rd February 2017*
Coming into force - -	*27th March 2017*

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 78(1) of the Courts Act 2003(**a**), after consulting in accordance with section 78(2) of that Act and with the concurrence of the Lord Chief Justice in accordance with section 78(1A) of that Act.

Citation and commencement

1. This Order may be cited as the Courts Act 2003 (Amendment) Order 2017 and comes into force on 27th March 2017.

Amendment of the Courts Act 2003

2. In section 77(2) of the Court Act 2003(**b**)—

(a) after paragraph (b), insert—

"(ba) one judge of the family court who sits exclusively or primarily in Wales,";

(b) for paragraph (c) substitute—

"(c) one person who is either a district judge of the principal registry of the Family Division or a district judge appointed under section 6 of the County Courts Act 1984(**c**),";

(c) omit "and" at the end of paragraph (n); and

(d) after paragraph (n) insert—

(**a**) 2003 c.39. Section 78 was amended by section 15(1) of and paragraphs 308 and 340 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005 (c. 4).

(**b**) Section 77 was amended by sections 15(1) and 59(5) of, paragraphs 308 and 339 of Part 1 of Schedule 4 to and paragraph 4 of Part 2 of Schedule 11 to the Constitutional Reform Act 2005 (c.4), section 17(6) of and paragraphs 83 and 93 of Part 2 of Schedule 10 to the Crime and Courts Act 2013 (c. 22), and section 208(1) of and paragraphs 142 and 144 of Schedule 21 to the Legal Services Act 2007 (c. 29).

(**c**) 1984 c. 28. Section 6 was substituted by section 14 of and paragraph 1(1) of Schedule 3 to the Constitutional Reform Act 2005 (c. 4), and amended by section 56 of and paragraphs 5 and 6 of Schedule 11 to the Tribunals, Courts and Enforcement Act 2007 (c. 15) and section 17(5) of and paragraphs 1 and 5 of Part 1 of Schedule 9 to the Crime and Courts Act 2013 (c. 22).

"(na) one person nominated by the Welsh Ministers to represent the interests of Welsh family proceedings officers (within the meaning given by section 35(4) of the Children Act 2004(**a**)), and".

Oliver Heald
Minister of State
Ministry of Justice

21st February 2017

I concur,

Thomas of Cwmgiedd
Lord Chief Justice

22nd February 2017

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 77(2) of the Courts Act 2003, which provides for the persons to be appointed to the Family Procedure Rule Committee, so that the Committee will have a Welsh judicial member and a member able to represent the interests of Welsh family proceedings officers; and to provide for greater flexibility in appointing members who are district judges.

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(**a**) 2004 c. 31.

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