STATUTORY INSTRUMENTS

2014 No. 832

FAMILY PROCEEDINGS

FAMILY COURT, ENGLAND AND WALES

The Family Court Warrants (Specification of Orders) Order 2014

Made - - - -	*26th March 2014*
Laid before Parliament	*28th March 2014*
Coming into force - -	*22nd April 2014*

The Lord Chancellor, in exercise of the power conferred by section 125A(3) of the Magistrates' Courts Act 1980(**a**) makes the following Order:

Citation and commencement

1. This Order may be cited as the Family Court Warrants (Specification of Orders) Order 2014 and comes into force on 22nd April 2014.

Specified court orders

2. Orders of the family court are specified for the purposes of section 125A(3) of the Magistrates' Courts Act 1980 (execution by civilian enforcement officers of warrants issued by a justice of the peace under specified provisions or for the enforcement of court orders of a specified description).

Signed by authority of the Lord Chancellor
26th March 2014

Simon Hughes
Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

Section 125A(3) of the Magistrates' Courts Act 1980 ('the 1980 Act') allows the Lord Chancellor to specify provisions under which warrants of arrest, commitment, detention or distress can be issued by a justice of the peace or specify court orders of any description. The effect of such a specification is that a warrant of arrest, commitment, detention or distress issued by a justice of the peace under a specified provision or for the enforcement of a specified court order may be executed by a civilian enforcement officer.

(**a**) 1980 c.43. Section 125A was inserted by section 92 of the Access to Justice Act 1999 (c.22) and was amended by paragraph 58 of Schedule 13 to the Tribunals, Courts and Enforcement Act 2007 (c.15), Article 52 of the Collection of Fines (Final Scheme) Order S.I. 2006/1737 and paragraph 5 of Schedule 1 to the Secretary of State for Justice Order S.I. 2007/2128.

This Order specifies orders of the family court for the purposes of section 125A(3) of the 1980 Act with the effect that civilian enforcement officers may execute warrants of arrest, commitment, detention or distress issued by a justice of the peace (who will for the purposes of the family court be District Judges (Magistrates' Courts) or justices of the peace who are not District Judges (Magistrates' Courts)) for the enforcement of an order of the family court.

A civilian enforcement officer is defined by section 125A(2) of the 1980 Act as a person who is employed by a prescribed class of authority which performs functions in relation to any area specified in the warrant and who is authorised to execute warrants.

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