



Small Firms Legal News Update

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Cases

Housing

Pryce v Southwark LBC. 2012 WL 5894608. Court of Appeal (Civil Division) (CA (Civ Div)). Pill, L.J.; Burton, J.; Rimer, L.J. 7 November 2012

A parent who was not an EU citizen and who lacked domestic leave to remain or permission to work, yet who was the sole carer of a child who was an EU citizen, derived a right of residence, and was eligible for housing assistance, within an EU Member State by virtue of EU law and the application of the principles in *Ruiz Zambrano v Office National de l'Emploi (ONEm) (C-34/09)* [2012] Q.B. 265.

Appeal allowed.

Legislation

Family Law

The Child Maintenance and Other Payments Act 2008 (Commencement No. 10 and Transitional Provisions) Order 2012. SI 2012/3042 (C.122)

This Order brings into force provisions of the Child Maintenance and Other Payments Act 2008 for the purpose of applying new rules for calculating child support maintenance to certain types of cases. It also brings into force a number of other provisions in the 2008 Act for the purposes of all cases.

[Read the full text here](#)

In Force: Bringing into operation various provisions of the 2008 Act on December 10, 2012.

Made under Child Maintenance and Other Payments Act 2008 s.62(3)(4)

Legislation amended: Child Support Maintenance Calculation Regulations 2012 (SI 2012/2677)

Legislation referred: Child Maintenance and Other Payments Act 2008



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Regulatory Developments

Personal Injury

Reducing the number and costs of whiplash claims: A consultation on arrangements concerning whiplash injuries in England and Wales.

Issued by Ministry of Justice. Cm.8425 : CP17/2012 11 December 2012 .

ISBN: 978 0 10184 252 5 . Price: GBP 10.75

A Ministry of Justice consultation on reducing the number and costs of whiplash claims seeks views on options that build upon the reforms the Government is already introducing from April 2013, through Pt 2 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012. The consultation focuses on two areas: the difficulties in diagnosing the injury and the nature; and cost of the court system that can work against insurers challenging suspect claims. Comments by March 8, 2013.

[Read the full text here](#)

Legislation referred: Legal Aid, Sentencing and Punishment of Offenders Act 2012 Pt 2

News

Family Law

Hotelier who ignored wife's input loses GBP 2.7m divorce payout appeal.

Times, 12 December 2012 (Online edition). By Frances Gibb

The Court of Appeal has ruled that the ex-wife of hotelier Andrew Davies had made an "exceptional" contribution to the business during the four year marriage and deserved the GBP 2.7 million divorce payment awarded by Judge Martin O'Dwyer.

Cases referred: *Davies v Davies* [2012] EWCA Civ 1641 (CA (Civ Div))

Further Reading

Employment

Employment: a revolution in employment law? Bus. L.R. 2012, 33(11), 267-272. By Alan Wells.

Examines a number of proposals for the reform of employment law, including the introduction of fees for bringing a claim in an employment tribunal, a two-year qualifying period for bringing an unfair dismissal claim, the recommendations made by the Beecroft Report, and the Underhill Review of employment tribunals' rules of procedure.

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