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**Changes to legislation:** There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Cross Heading: Care and supervision of children. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 1

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART III

ASSIMILATION IN CERTAIN RESPECTS TO ORDERS UNDER THIS  
ACT OF ORDERS MADE, ETC., UNDER THE ACT OF 1965, ETC.

##### *Care and supervision of children*

- 25 (1) Sections 43 and 44 above shall apply where the court has jurisdiction by virtue of paragraph 4(b) above to make an order for the custody of a child under section 34(1)(c) of the Act of 1965 as they apply where the court has jurisdiction to make an order for custody under Part III of this Act, but as if the reference in section 43(2) to a financial provision order in favour of the child were a reference to an order for payments for the maintenance and education of the child.
- (2) Without prejudice to the effect of paragraph 1(a) of this Schedule in relation to an order made under section 36 or 37 of the Act of 1965 which could have been made under section 43 or, as the case may be, section 44 above, any order made under section 36 or 37 of that Act by virtue of the jurisdiction of the court to make an order for the custody of a child under section 34(1)(c) of that Act shall be deemed to have been made under section 43 or 44 above, as the case may require.
- 26 Section 44(4) above shall apply in relation to the jurisdiction possessed by a court to vary an order made or deemed to have been made with respect to a child's custody, maintenance or education under Part III of the Act of 1965 as it applies in relation to the jurisdiction possessed by a court to vary any financial provision order in a child's favour and any order made with respect to a child's custody or education under Part III of this Act.

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