

Changes to legislation: There are currently no known outstanding effects for the Matrimonial Causes Act 1973, SCHEDULE 2. (See end of Document for details)

SCHEDULES

^{X1}SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

Editorial Information

- X1** The text of Sch. 2 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

^{F1}1

Textual Amendments

- F1** Sch. 2 para. 1 repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), Sch. 7

- 2 In section 2(1) of the ^{M1}Limitation (Enemies and War Prisoners) Act 1945, in the definition of “statute of limitation” for the words “subsection (1) of section seven of the Matrimonial Causes Act 1937” there shall be substituted the words “ section 13(2) of the Matrimonial Causes Act 1973 and paragraph 11(3) of Schedule 1 to that Act ”.

Marginal Citations

- M1** 1945 c. 16.

- 3 (1) In section 16 of the ^{M2}Maintenance Orders Act 1950 (orders enforceable under Part II of that Act)—
- (a) in subsection (2)(a) for sub-paragraph (i) there shall be substituted the following sub-paragraph:—
- “(i) sections 15 to 17, 19 to 22, 30, 34 and 35 of the Matrimonial Causes Act 1965 and sections 22, 23(1), (2) and (4) and 27 of the Matrimonial Causes Act 1973”; and
- (b) in subsection (2)(c), for sub-paragraph (v) there shall be substituted the following sub-paragraph:—
- “(v) any enactment of the Parliament of Northern Ireland containing provisions corresponding with section 22(1), 34 or 35 of the Matrimonial Causes Act 1965, with section 22, 23(1), (2) or (4) or 27 of the Matrimonial Causes Act 1973, or with section 12(2) of the Guardianship of Minors Act 1971”.

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(2) Sub-paragraph (1) above extends to Scotland and Northern Ireland, and the references to section 16(2)(c) of the ^{M3}Maintenance Orders Act 1950 in paragraph 8 of Schedule 8 to the ^{M4}Administration of Justice Act 1970 and paragraph 9 of Schedule 1 to the ^{M5}Attachment of Earnings Act 1971 shall be construed as references to section 16(2)(c) as amended by sub-paragraph (1)(b) above.

Marginal Citations

- M2 1950 c. 37.
- M3 1950 c. 37.
- M4 1970 c. 31.
- M5 1971 c. 32.

4 In section 109(2) of the ^{M6}County Courts Act 1959 (proceedings in which appeals on questions of fact are to lie) the following paragraph shall be inserted after paragraph (f) (in place of the paragraph inserted by section 34(2) of the ^{M7}Matrimonial Proceedings and Property Act 1970):—

“(g) any proceedings on an application under section 13A of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 or under section 33, 36 or 38 of the Matrimonial Causes Act 1973”.

Marginal Citations

- M6 1959 c. 22.
- M7 1970 c. 45.

5 ^{F2}(1)

(2) In section 42 of that Act (provisions as to condonation), at the beginning of subsections (1) and (3) there shall be inserted the words “ For the purposes of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ”.

Textual Amendments

- F2 Sch. 2 para. 5(1) repealed by [Inheritance \(Provision for Family and Dependents\) Act 1975 \(c. 63\), s. 26\(3\), Sch.](#)

^{F3}6

Textual Amendments

- F3 Sch. 2 para. 6 repealed by [Matrimonial and Family Proceedings Act 1984 \(c. 42, SIF 49:3\), ss. 46\(3\), 48\(2\), Sch. 3](#)

7 (1) In subsection (1) of section 2 of the ^{M8}Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (restriction of publicity for certain proceedings) for the words in paragraph (a) “section 39 of the Matrimonial Causes Act 1965” there shall be substituted the words “ section 45 of the Matrimonial Causes Act 1973 ”, the following paragraph shall be substituted for the paragraph (c) inserted

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in the subsection by paragraph 3 of Schedule 2 to the Matrimonial Proceedings and Property Act 1970:—

“(c) proceedings under section 27 of the Matrimonial Causes Act 1973 (which relates to proceedings by a wife against her husband, or by a husband against his wife, for financial provision) and any proceedings for the discharge or variation of an order made under that section or for the temporary suspension of any provision of any such order or the revival of the operation of any provision so suspended”;

subsection (2) of that section shall be omitted, and the references in subsection (3) of that section to subsection (1) and to subsection (1)(a) thereof shall be construed as references to subsection (1) and to subsection (1)(a) as they respectively have effect by virtue of this sub-paragraph.

^{F4}(2)

Textual Amendments

F4 Sch. 2 para. 7(2)(3) repealed by Statute Law (Repeals) Act 1977 (c. 18), Sch. 1 Pt. VII

Marginal Citations

M8 1968 c. 63.

8 In section 7 of the ^{M9}Family Law Reform Act 1969 (committal of wards of court to care of local authority and supervision of wards of court)—

- (a) in subsection (3), for the words “section 36 of the Matrimonial Causes Act 1965” there shall be substituted the words “ section 43 of the Matrimonial Causes Act 1973 ”;
- (b) in subsection (4), for the words from “subsections (2)” to “1965” there shall be substituted the words “ section 44(2) of the Matrimonial Causes Act 1973 ”.

Marginal Citations

M9 1969 c. 46.

^{F59}

Textual Amendments

F5 Sch. 2 para. 9 repealed by Child Care Act 1980 (c. 5), Sch. 6

10 ^{F6}(1)

(2) In Schedule 8 to that Act (as it applies to define maintenance orders both for the purposes of Part II of that Act and for the purposes of the ^{M10}Maintenance Orders Act 1958) the following paragraph shall be inserted after paragraph 2:—

“2A An order for periodical or other payments made, or having effect as if made, under Part II of the Matrimonial Causes Act 1973”.

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Textual Amendments

F6 Sch. 2 para. 10(1) repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

Marginal Citations

M10 1958 c. 39.

^{F7}11

Textual Amendments

F7 Sch. 2 para. 11 repealed (*14. 10. 1991*) by Children Act 1989 (c. 41, SIF 20), s. 108, Sch. 15 (with Sch. 14 paras. 1(1), **27(4)**); S.I. 1991/828, **art. 3(2)**.

^{F8}12

Textual Amendments

F8 Sch. 2 para. 12 repealed by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), ss. 46(3), 48(2), **Sch. 3**

13 In Schedule 1 to the ^{M11}Attachment of Earnings Act 1971 (maintenance orders to which the Act applies) for paragraph 3 there shall be substituted the following paragraph—

“3 An order for periodical or other payments made, or having effect as if made, under Part II of the Matrimonial Causes Act 1973”.

Marginal Citations

M11 1971 c. 32

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