

## SCHEDULES

### SCHEDULE 2

Section 16

#### AMENDMENT OF PROVISIONS ABOUT PRESUMPTION OF DEATH

##### *Matrimonial Causes Act 1973 (c. 18)*

- 1 Omit section 19 of the Matrimonial Causes Act 1973 (presumption of death and dissolution of marriage).

##### *Domicile and Matrimonial Proceedings Act 1973 (c. 45)*

- 2 In section 5 of the Domicile and Matrimonial Proceedings Act 1973 (jurisdiction of High Court and county courts), omit—
- (a) subsection (1)(b) (and the “and” before it);
  - (b) subsection (4).

##### *Civil Partnership Act 2004 (c. 33)*

- 3 (1) Section 222 of the Civil Partnership Act 2004 (proceedings for presumption of death order) is amended as follows.
- (2) After “presumption of death order” insert “on an application made by a civil partner”.
- (3) Omit paragraphs (a) and (b).
- (4) After those paragraphs insert—
- “(ba) at the time the application is made, the High Court does not have jurisdiction to entertain an application by that civil partner under section 1 of the Presumption of Death Act 2013 for a declaration that the other civil partner is presumed to be dead, and”.

##### *Consequential repeal*

- 4 In consequence of the repeal in paragraph 1, omit paragraph 7 of Schedule 8 to the Family Law Act 1996.