

SCHEDULE 2

Article 3

TRANSITIONAL PROVISIONS

1. In this Schedule—
 - “the Act of 1960” means the Matrimonial Proceedings (Magistrates' Courts) Act 1960;
 - “the relevant date” means the date on which section 1 of the Act of 1978 comes into force.
2. In relation to an application made before the relevant date for an order under section 16 of the Act of 1978—
 - (a) that section shall have effect as if, in subsection (1), for the words “this Act” there were substituted the words “the Matrimonial Proceedings (Magistrates' Courts) Act 1960”;
 - (b) section 30(1) of the Act (which relates to jurisdiction) shall have effect as if for the words from “commission area” to the end there were substituted the words “petty sessions area for which the court acts or if the cause of the application arose wholly or partly within the said petty sessions area”.
3. In relation to an application made before the relevant date under section 17 of the Act of 1978 for the variation or revocation of an order under section 16, the said section 30(1) shall have effect as if for the words from “at the date” to the end there were substituted the words “the court made the order under section 16 of this Act to which the application relates”.
4. In relation to an application made before the relevant date under section 53 of the Magistrates' Courts Act 1952 for the variation of any order, section 76 of the Act of 1978 (which extends the power conferred by the said section 53) shall have effect as if, at the end of the paragraph thereby added to the said section 53, there were inserted the words “; but section 8(1) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 shall not apply in relation to this paragraph”.
5. In relation to an application made before the relevant date under the Act of 1960, section 79 of the Act of 1978 (which amends section 56 of the Magistrates' Courts Act 1952 as respects the meaning of domestic proceedings) shall have effect as if, in the subsection thereby substituted for subsection (1) of the said section 56, the reference to Part I of the Act of 1978 included a reference to the Act of 1960.
6. In relation to an application made before the relevant date under the Act of 1960, paragraph 12 of Schedule 2 to the Act of 1978 (which amends section 15(1)(a) of the Maintenance Orders Act 1950) shall have effect as if, in the sub-paragraph thereby substituted in the said section 15(1)(a), at the end there were inserted the words “or section 1(3) or 9(1) of the Matrimonial Proceedings (Magistrates' Courts) Act 1960.”
7. In relation to an application made before the relevant date under the Act of 1960, paragraph 25 of Schedule 2 to the Act of 1978 (which amends Schedule 1 to the Administration of Justice Act 1970) shall have effect as if—
 - (a) the words substituted for the words “section 11 of the Matrimonial Proceedings (Magistrates' Courts) Act 1960” included a reference to section 11 of the Act of 1960;
 - (b) the words substituted for the words “the Matrimonial Proceedings (Magistrates' Courts) Act 1960” in the second and third place where those words occur included a reference to the Act of 1960.
8. In relation to an application made before the relevant date under the Act of 1960, paragraphs 39 and 40 of Schedule 2 to the Act of 1978 (which amend sections 47(2)(e) and 50(2)(b) of the Matrimonial Causes Act 1973) shall have effect as if the words substituted for the words “the Matrimonial Proceedings (Magistrates' Courts) Act 1960” included in each case a reference to the Act of 1960.