

SCHEDULE 7

CONSEQUENTIAL AMENDMENTS

Domicile and Matrimonial Proceedings Act 1973 (c.45)

7. In the Domicile and Matrimonial Proceedings Act 1973, in section 10 (ancillary and collateral orders), after subsection (1B)(1) insert—

“(1C) If the application or part of it relates to a matter where jurisdiction falls to be determined by reference to the jurisdictional requirements of the Maintenance Regulation and Schedule 6 to the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011, the Court of Session or a sheriff court may not entertain the application or that part of it unless it has jurisdiction to do so by virtue of that Regulation and that Schedule.

(1D) In subsection (1C) “the Maintenance Regulation” means Council Regulation (EC) No 4/2009 including as applied in relation to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark.”.

(1) Section 10(1) was amended by section 105(4) of and paragraph 20(2)(a) of Schedule 4 to the Children (Scotland) Act 1995 (c.36). Subsection (1B) of section 10 was inserted by regulation 2(1), and (4) of S.S.I. 2001/36.