



Matrimonial Proceedings and Property Act 1970

1970 CHAPTER 45

PART II

MISCELLANEOUS PROVISIONS

Provisions relating to orders made by magistrates' courts in matrimonial proceedings

32 Restriction on enforcement in High Court or county court of certain orders of magistrates' courts

At the end of section 13 of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 there shall be added the following subsections:—

- “(5) A person shall not be entitled to enforce through the High Court or any county court the payment of any arrears due under an order made by virtue of this Act without the leave of that court if those arrears became due more than twelve months before proceedings to enforce the payment of them are begun.
- (6) The court hearing an application for the grant of leave under subsection (5) of this section may refuse leave, or may grant leave subject to such restrictions and conditions (including conditions as to the allowing of time for payment or the making of payment by instalments) as that court thinks proper, or may remit the payment of such arrears or any part thereof.
- (7) An application for the grant of leave under the said subsection (5) shall be made in such manner as may be prescribed by rules of court”.