

*Status: Point in time view as at 05/04/1993.*

*Changes to legislation: Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Section 89.

#### TRANSITIONAL PROVISIONS

- 1 This Act (including the repeals and amendments made by it) shall not have effect in relation to any application made under any enactment repealed or amended by this Act if that application is pending at the time when the provision of this Act which repeals or amends that enactment comes into force.
- 2 Any order made or other thing done under the <sup>M1</sup>Matrimonial Proceedings (Magistrates' Courts) Act 1960 which is in force immediately before the coming into force of Part I of this Act shall not be affected by the repeal by this Act of that Act, and the provisions of that Act shall after the coming into force of the said Part I apply in relation to such an order, and to an order made under that Act by virtue of paragraph 1 above, subject to the following modifications—
- (a) on a complaint for the revocation of the order the court shall not be bound under section 8 of that Act to revoke the order by reason of an act of adultery committed by the person on whose complaint the order was made;
  - (b) on a complaint for the variation, revival or revocation of the order, the court, in exercising its powers under the said section 8 in relation to a provision of the order requiring the payment of money, shall have regard to any change in any of the matters to which the court would have been required to have regard when making that order if the order had been made on an application under section 2 of this Act;
  - [<sup>F1</sup>(bb) on a complaint after the coming into force of paragraph 27 of Schedule 1 to the Matrimonial and Family Proceedings Act 1984 for the variation, revival or revocation of the order, the court, in exercising its powers under the said section 8 in relation to any provision of the order requiring the payment of money, shall have power to order that payments required to be made for the maintenance of a child of the family shall be made to the child himself.]
  - (c) where the order contains a provision for the legal custody of a child, the court shall have power, on a complaint made by a grandparent of the child, to vary that order under the said section 8 by the addition to the order of a provision requiring access to the child to be given to that grandparent;
  - (d) where the court, by virtue of paragraph (c) above, varies the order by the addition of a provision requiring access to a child to be given to a grandparent, the court shall have power to vary or revoke that provision on a complaint made—
    - (i) by that grandparent, or
    - (ii) by either party to the marriage in question, or
    - (iii) where the child is not a child of both the parties to the marriage, by any person who though not a party to the marriage is a parent of the child, or
    - (iv) where under the order a child is for the time being committed to the legal custody of some person other than one of the parents or

*Status: Point in time view as at 05/04/1993.*

*Changes to legislation: Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

a party to the marriage, by the person to whose legal custody the child is committed by the order.

**Textual Amendments**

**F1** Sch. 1 para. 2(bb) inserted by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), ss. 46(1), 48(3), Sch. 1, para. 27(a)

**Marginal Citations**

**M1** 1960 c. 48.

- 3 The amendment by this Act of any enactment shall not affect the operation of that enactment in relation to any order made or having effect as if made under the <sup>M2</sup>Matrimonial Proceedings (Magistrates' Courts) Act 1960 (including an order made under that Act by virtue of paragraph 1 above) or in relation to any decision of a magistrates' court made on an application for such an order or for the variation, revival or revocation of such an order [<sup>F2</sup>but as respects enactments amended by this Act in their application in relation to orders made or decisions on applications for orders or for the variation, revival or revocation of orders made or having effect as if made under other Acts those enactments shall apply as amended by this Act].

**Textual Amendments**

**F2** Words added by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), ss. 46(1), 48(3), Sch. 1 para. 27(b)

**Marginal Citations**

**M2** 1960 c. 48.

- [<sup>F3</sup>3A Any order for the payment of money in force under the <sup>M3</sup>Matrimonial Proceedings (Magistrates' Courts) Act 1960 (including any such order made under that Act by virtue of paragraph 1 above) shall be enforceable as a magistrates' court maintenance order.]

**Textual Amendments**

**F3** Sch. 1 para. 3A inserted by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(1), Sch. 2 para. 72(a)

**Marginal Citations**

**M3** 1960 c.48.

- 4 Any reference in paragraph 1 above to an application made under an enactment repealed by this Act shall be construed as including a reference to an application which is treated as a complaint under section 1 of the <sup>M4</sup>Matrimonial Proceedings (Magistrates' Courts) Act 1960 by virtue of section 27 of the <sup>M5</sup>Maintenance Orders (Reciprocal Enforcement) Act 1972 and any reference in [<sup>F4</sup>paragraph 2, 3 or 3A] above to an order made under the <sup>M6</sup>Matrimonial Proceedings (Magistrates' Courts) Act 1960 shall be construed as including a reference to an order which is made under that Act by virtue of section 28 of the <sup>M7</sup>Maintenance Orders (Reciprocal Enforcement) Act 1972

*Status: Point in time view as at 05/04/1993.*

*Changes to legislation: Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

**F4** Words substituted by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), s. 33(1), [Sch. 2 para. 72\(b\)](#)

**Marginal Citations**

**M4** 1960 c. 48.

**M5** 1972 c. 18.

**M6** 1960 c. 48.

**M7** 1972 c. 18.

5 A provision contained in section 72 . . . <sup>F5</sup> of this Act shall not apply in relation to proceedings commenced before the coming into force of that provision.

**Textual Amendments**

**F5** Words repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154(3), [Sch. 9](#)

6, 7. . . . . <sup>F6</sup>

**Textual Amendments**

**F6** [Sch. 1 paras. 6, 7](#) repealed by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154(3), [Sch. 9](#)

8 A provision of Schedule 2 to this Act which relates to the punishment by way of fine which may be imposed for any offence shall not affect the punishment which may be imposed for an offence which is committed before the date on which that provision comes into force.

<sup>X1</sup>SCHEDULE 2

Section 89.

MINOR AND 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.

*The Sheriff Courts (Scotland) Act 1907 (c. 51)*

1 In section 5 of the Sheriff Courts (Scotland) Act 1907—  
[<sup>F7</sup>(a) in subsection (2), after the words “Actions of aliment ”, there shall be inserted the words “(other than any action mentioned in sub-section (2A) below) ” ;]  
(b) the following subsection shall be inserted after subsection (2)—

*Status: Point in time view as at 05/04/1993.*

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- “(2A) Actions, arising out of an application under section 31(1) of the Maintenance Orders (Reciprocal Enforcement) Act 1972, for the recovery of maintenance:” ; and
- (c) in the final proviso, for the words “the second sub-section ” there shall be substituted the words “sub-section (2) or (2A) ”.

**Textual Amendments**  
**F7** Sch. 2 para. 1(a) repealed (S.) by Family Law (Scotland) Act 1985 (c. 37, SIF 49:3), ss. 28(2), 29(4), Sch. 2

*The Maintenance Orders (Facilities for Enforcement) Act 1920 (c. 33)*

- 2 In section 3(4) of the Maintenance Orders Act 1920 for the words “sitting and acting for the same place ” there shall be substituted the words “appointed for the same commission area (within the meaning of section 1 of the Administration of Justice Act 1973) ”.
- 3—5. .... **F8**

**Textual Amendments**  
**F8** Sch. 2 paras. 3–5, 8 repealed by Child Care Act 1980 (c. 5), s. 89(3), Sch. 6

*The National Assistance Act 1948 (c. 29)*

- 6 In section 43(4) of the National Assistance Act 1948 for the words “having jurisdiction in the place ” there shall be substituted the words “appointed for the commission area (within the meaning of section 1 of the Administration of Justice Act 1973) ”.
- 7 In section 44(2) of that Act for the words “having jurisdiction in the place ” there shall be substituted the words “appointed for the commission area (within the meaning of section 1 of the Administration of Justice Act 1973). ”
- 8 ..... **F9**

**Textual Amendments**  
**F9** Sch. 2 paras. 3–5, 8 repealed by Child Care Act 1980 (c. 5), s. 89(3), Sch. 6

*The Marriage Act 1949 (c. 76)*

- 9 In section 3(5) of the Marriage Act 1949 for the words “having jurisdiction in the place ” there shall be substituted the words “appointed for the commission area (within the meaning of section 1 of the Administration of Justice Act 1973). ”

*The Justices of the Peace Act 1949 (c. 101)*

- 10 In section 13(4) of the Justices of the Peace Act 1949 after the words “juvenile ” there shall be inserted the words “or domestic ”.

*Status:* Point in time view as at 05/04/1993.

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

*The Maintenance Orders Act 1950 (c. 37.)*

- 11 In section 3(2) of the Maintenance Orders Act 1950 for the words “having jurisdiction in the place ” there shall be substituted the words “appointed for the commission area (within the meaning of the Administration of Justice Act 1973) ”.
- 12 In section 15(1)(a) of that Act for sub-paragraph (ii) there shall be substituted the following sub-paragraph—  
“(ii) section 24(1) and 30(3) of the Domestic Proceedings and Magistrates' Courts Act 1978”.
- 13 In section 16(2)(a) of that Act, for sub-paragraph (ii) there shall be substituted the following sub-paragraph—  
“(ii) Part 1 of the Domestic Proceedings and Magistrates' Courts Act 1978.”
- 14 In section 22(1) of that Act after the words “person liable to make ”, in the first place where they occur, there shall be inserted the word “periodical ”.
- 15 ..... <sup>F10</sup>

**Textual Amendments**

**F10** Sch. 2 paras. 15, 21 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), Sch. 9

*The Affiliation Proceedings Act 1957 (c. 55)*

- 16 In section 9(2) of the Affiliation Proceedings Act 1957 for the words “£10 ” there shall be substituted the words “£50 ”.

*The Adoption Act 1958 (7 & 8 Eliz. 2 c. 5)*

- [<sup>F11</sup>17 In section 32(2) of the Adoption Act 1958 for the words “subsection (2) ” there shall be substituted the words “subsection (1A) ”.]

**Textual Amendments**

**F11** Sch. 2 paras. 17, 18 repealed (S.) by Adoption (Scotland) Act 1978 (c. 28, SIF 49:11), s. 66(3), Sch. 4

- [<sup>F12</sup>18 In section 34A(3) of that Act—  
(a) for the words “the authority ”, in the first place where those words occur, there shall be substituted the words “a local authority ” ;  
(b) after the words “the authority ”, in the second place where those words occur, there shall be inserted the words “in whose care the child is ” ;  
(c) for the words “the court ” there shall be substituted the words “a court ”.]

**Textual Amendments**

**F12** Sch. 2 paras. 17, 18 repealed (S.) by Adoption (Scotland) Act 1978 (c. 28, SIF 49:11), s. 66(3), Sch. 4

*Status: Point in time view as at 05/04/1993.*

*Changes to legislation: Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

*The County Courts Act 1959 (c. 22)*

- 19 In section 109(2) of the County Courts Act 1959—
- (a) in paragraph (g) for the words “section 13A of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be substituted the words “section 35 of the Domestic Proceedings and Magistrates’ Courts Act 1978 ” ;
  - (b) in paragraph (h) after the words “proceedings under ” there shall be inserted the words “section 34 or 34A of the Adoption Act 1958 ; ”
  - (c) in paragraph (i) for the words “section 29 ” there shall be substituted the words “section 27, 28, 29 ”.

20 ..... F13

**Textual Amendments**  
**F13** Sch. 2 paras. 20, 24 repealed by Child Care Act 1980 (c. 5), s. 89(3), Sch. 6

21 ..... F14

**Textual Amendments**  
**F14** Sch. 2 paras. 15, 21 repealed by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154(3), Sch. 9

*The Health Services and Public Health Act 1968 (c. 46)*

F15 22 .....

**Textual Amendments**  
**F15** Sch. 2 paras. 22, 23, 27, 29 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)

F16 23 .....

**Textual Amendments**  
**F16** Sch. 2 paras. 22, 23, 27, 29 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)

24 ..... F17

**Textual Amendments**  
**F17** Sch. 2 paras. 20, 24 repealed by Child Care Act 1980 (c. 5), s. 89(3), Sch. 6

25 ..... F18

*Status: Point in time view as at 05/04/1993.*

**Changes to legislation:** *Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

**F18** Sch. 2 para. 25 repealed by [Supreme Court Act 1981 \(c. 54, SIF 37\)](#), [Sch. 7](#)

*The Administration of Justice Act 1970 (c. 31)*

26 In Schedule 8 of that Act in paragraph 3 for the words “or having effect as if made under the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be substituted the words “under Part I of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”.

*The Local Authority Social Services Act 1970 (c. 42)*

<sup>F19</sup>27 .....

**Textual Amendments**

**F19** Sch. 2 paras. 22, 23, 27, 29 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\(2\)](#)

*The Matrimonial Proceedings and Property Act 1970 (c. 45)*

28 In section 30(2) of the Matrimonial Proceedings and Property Act 1970 for the words “Subsections (4), (5) and (6) of section 7 of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be substituted the words “Section 4(2) of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”, for the words “section 2(1)(b) or (c) ” there shall be substituted the words “section 2(1)(a) ” and for the words “as they apply in relation to such an order as is referred to in the said subsection (4) ” there shall be substituted the words “as it applies in relation to an order made under section 2(1)(a) of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”.

*The Guardianship of Minors Act 1971 (c. 3)*

<sup>F20</sup>29 .....

**Textual Amendments**

**F20** Sch. 2 paras. 22, 23, 27, 29 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\(2\)](#)

30 ..... <sup>F21</sup>

**Textual Amendments**

**F21** Sch. 2 para. 30 repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), s. 33(4), [Sch. 4](#)

<sup>F22</sup>31 .....

*Status: Point in time view as at 05/04/1993.*

*Changes to legislation: Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

**F22** Sch. 2 paras. 31, 36, 41-43 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)**

*The Attachment of Earnings Act 1971 (c. 32)*

32 In Schedule 1 to the Attachment of Earnings Act 1971 in paragraph 4 for the words “or having effect as if made under the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be substituted the words “under Part I of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”.

*The Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)*

33 In section 8(3) of the Maintenance Orders (Reciprocal Enforcement) Act 1972 for the words “£10 ” there shall be substituted the words “£50 ”.

<sup>F23</sup>34 .....

**Textual Amendments**

**F23** Sch. 2 para. 34 repealed (5.4.1993) by Maintenance Orders (Reciprocal Enforcement) Act 1992 (c. 56), s. 2(2), **Sch.3**; S.I. 1993/618, **art. 2**.

<sup>F24</sup>35 .....

**Textual Amendments**

**F24** Sch. 2 para. 35 repealed (5.4.1993) by Maintenance Orders (Reciprocal Enforcement) Act 1992 (c. 56), s. 2(2), **Sch.3**; S.I. 1993/618, **art. 2**.

<sup>F25</sup>36 .....

**Textual Amendments**

**F25** Sch. 2 paras. 31, 36, 41-43 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)**

37 In section 42(1) of that Act for the words “section 2(1)(b) or (c) of the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 (payment of weekly sums by husband or wife) ” there shall be substituted the words “section 2(1)(a) of the Domestic Proceedings and Magistrates’ Courts Act 1978 (making of periodical payments by husband or wife) ”.

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

38 In section 4(1) of the Matrimonial Causes Act 1973 after the words “the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be inserted the words “or Part I of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”.



*Status: Point in time view as at 05/04/1993.*

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

39 In section 47(2)(e) of that Act for the words “the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be substituted the words “Part I of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”.

40 In section 50(2)(b) of that Act for the words “the Matrimonial Proceedings (Magistrates’ Courts) Act 1960 ” there shall be substituted the words “Part I of the Domestic Proceedings and Magistrates’ Courts Act 1978 ”.

*The Guardianship Act 1973 (c. 29)*

F26 41 .....

**Textual Amendments**

**F26** Sch. 2 paras. 31, 36, 41-43 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)**

F27 42 .....

**Textual Amendments**

**F27** Sch. 2 paras. 31, 36, 41-43 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)**

F28 43 .....

**Textual Amendments**

**F28** Sch. 2 paras. 31, 36, 41-43 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)**

44 ..... F29

**Textual Amendments**

**F29** Sch. 2 para. 44 repealed by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(4), **Sch. 4** and expressed to be repealed (*prosp.*) by Children Act 1989 (c. 41, SIF 20), s. 108, **Sch. 15** (with Sch. 14 paras. 1(1), **27(4)**)

45 ..... F30

**Textual Amendments**

**F30** Sch. 2 paras. 45, 52 repealed by Legal Aid Act 1988 (c. 34, SIF 77:1), s. 45, **Sch. 6**

*The Children Act 1975 (c. 72)*

F31 46 .....

*Status: Point in time view as at 05/04/1993.*

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

**Textual Amendments**

**F31** Sch. 2 paras. 46-48, 50 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)**

<sup>F32</sup>47 .....

**Textual Amendments**

**F32** Sch. 2 paras. 46-48, 50 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)**

<sup>F33</sup>48 .....

**Textual Amendments**

**F33** Sch. 2 paras. 46-48, 50 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)**

49 ..... <sup>F34</sup>

**Textual Amendments**

**F34** Sch. 2 para. 49 repealed by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), ss. 46(3), 48(2), **Sch. 3** and 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)**

*The Adoption Act 1976 (c. 36)*

<sup>F35</sup>50 .....

**Textual Amendments**

**F35** Sch. 2 paras. 46-48, 50 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)**

51 In section 63(4) of that Act the words “to remove a child from a person’s custody under section 27 or 28 or ” shall be omitted.

52 ..... <sup>F36</sup>

**Textual Amendments**

**F36** Sch. 2 paras. 45, 52 repealed by Legal Aid Act 1988 (c. 34, SIF 77:1), s. 45, **Sch. 6**

*Status: Point in time view as at 05/04/1993.*

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

*The Domestic Violence and Matrimonial Proceedings Act 1976 (c. 50)*

53 In section 2 of the Domestic Violence and Matrimonial Proceedings Act 1976 at the end of subsection (4) there shall be inserted : —

“ In reckoning for the purposes of this subsection any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday ”.

*The Supplementary Benefits Act 1976 (c. 71)*

54 In section 19(2) of the Supplementary Benefits Act 1976 for the words “acting for the petty sessions area ” there shall be substituted the words “appointed for the commission area (within the meaning of section 1 of the Administration of Justice Act 1973) ”

X<sup>2</sup>SCHEDULE 3

Section 89.

ENACTMENTS REPEALED

**Editorial Information**

**X2** The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Section 89.

SCHEDULE 3  
 ENACTMENTS REPEALED

Chapter	Short Title	Extent of Repeal
1948 c. 29.	The National Assistance Act 1948.	In section 43, subsection (7).
1950 c. 37.	The Maintenance Orders Act 1950.	In section 2, subsection (3).
1952 c. 55.	The Magistrates' Courts Act 1952.	In section 57, subsection (4). Section 59. In section 60, in subsection (1) the word “ periodical ” and the words “ or in any proceedings in any matter of bastardy ” and in subsection (2)(a) the words from “ which shall be read aloud ” to “ at the hearing ”. In section 61, the words “ or in proceedings in any matter of bastardy ”. Section 62. In section 121, subsection (2).
1957 c. 55.	The Affiliation Proceedings Act 1957.	In section 7, subsections (1) to (3).
1960 c. 48.	The Matrimonial Proceedings (Magistrates' Courts) Act 1960.	The whole Act.
1961 c. 39.	The Criminal Justice Act 1961.	In Schedule 4, the entry relating to section 54 of the Magistrates' Courts Act 1952.
1964 c. 42.	The Administration of Justice Act 1964.	In section 2, subsection (3A). In Schedule 3, paragraph 27.
1965 c. 72.	The Matrimonial Causes Act 1965.	Section 42.
1967 c. 80.	The Criminal Justice Act 1967.	In Schedule 3, the entry relating to the Matrimonial Proceedings (Magistrates' Courts) Act 1960.

*Status: Point in time view as at 05/04/1993.*

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Chapter	Short Title	Extent of Repeal
1968 c. 36.	The Maintenance Orders Act 1968.	In the Schedule, the entry relating to the Matrimonial Proceedings (Magistrates' Courts) Act 1960.
1969 c. 46.	The Family Law Reform Act 1969.	In section 5, subsection (2).
1969 c. 22 (N.I.).	The Adoption (Hague Convention) Act (Northern Ireland) 1969.	In section 7(2) the words "in respect of a foreign convention adoption".
1970 c. 42.	The Local Authority Social Services Act 1970.	In Schedule 1, the entry relating to the Matrimonial Proceedings (Magistrates' Courts) Act 1960.
1970 c. 45.	The Matrimonial Proceedings and Property Act 1970.	In section 30, subsection (1). Sections 31 to 33.
1971 c. 3.	The Guardianship of Minors Act 1971.	In section 9, subsection (3). In section 14, subsection (4).
1971 c. 38.	The Misuse of Drugs Act 1971.	Section 34.
1972 c. 18.	The Maintenance Orders (Reciprocal Enforcement) Act 1972.	In section 17, subsections (1) to (3). In section 27, subsection (3). In the Schedule, paragraph 1.
1972 c. 49.	The Affiliation Proceedings (Amendment) Act 1972.	In section 3, subsections (1) and (2).
1972 c. 70.	The Local Government Act 1972.	In Schedule 23, paragraph 10.
1973 c. 18.	The Matrimonial Causes Act 1973.	In section 27, subsection (8).
1973 c. 29.	The Guardianship Act 1973.	In section 2, in subsection (5) the words from "but an interim order" to the end of the subsection. In section 3, in subsection (2) the words from "and where a supervision order" to the end of the subsection. Section 8. In Schedule 2, paragraph 1(2).
1974 c. 4	The Legal Aid Act 1974	In Schedule 1, paragraph 3(a).

Chapter	Short Title	Extent of Repeal
1975 c. 72.	The Children Act 1975.	In section 17(1) the words "under the age of 16". In section 21, subsection (3). Section 91. In Schedule 3, paragraphs 12 and 26.
1976 c. 36.	The Adoption Act 1976.	In section 26(1) the words "under the age of 16 years". In section 64, paragraph (c). In Schedule 1, in paragraph 6, the words "other than a Convention adoption order". In Schedule 3, paragraph 4.
1976 c. 71.	The Supplementary Benefits Act 1976.	In section 18(7) the words from "and any proceedings for such an order" to the end of the subsection. In Schedule 7, the entry relating to section 43(7) of the National Assistance Act 1948.

**Status:**

Point in time view as at 05/04/1993.

**Changes to legislation:**

Domestic Proceedings and Magistrates' Courts Act 1978 is up to date with all changes known to be in force on or before 24 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.