

## SCHEDULES

### SCHEDULE 2

Section 46(2).

#### TRANSITIONAL PROVISIONS

##### *Time restrictions on petitions for divorce*

- 1 (1) Where at the coming into force of section 1 of this Act—
- (a) leave has been granted under section 3 of the Matrimonial Causes Act 1973 for the presentation of a petition for divorce or proceedings on an application for leave under that section are pending, and
  - (b) the period of one year from the date of the marriage has not expired,
- nothing in section 1 of this Act shall prohibit the presentation of a petition for divorce before the expiration of that period; and in relation to such a case sections 1(4) and 3 of that Act of 1973 as in force immediately before the coming into force of section 1 of this Act shall continue to apply.
- (2) Where at the coming into force of section 1 of this Act—
- (a) proceedings on an application for leave under section 3 of the Matrimonial Causes Act 1973 are pending, and
  - (b) the period of one year from the date of the marriage has expired,
- the proceedings shall abate but without prejudice to the powers of the court as to costs.

##### *Time restrictions on petitions for nullity*

- 2 An application for leave under section 13(4) of the Matrimonial Causes Act 1973 to institute proceedings after the expiration of the period of three years from the date of the marriage may be made where that period expired before as well as where it expires after the coming into force of section 2 of this Act.

##### *Scope of "matrimonial cause" for Part V purposes*

- 3 For the purposes of Part V of this Act "matrimonial cause" shall, until the expiration of one year from the coming into force of section 1 of this Act, include an application under section 3 of the Matrimonial Causes Act 1973.