

SCHEDULE

Amendment of primary and secondary legislation

PART 1

Amendment of primary legislation

Amendment of the Matrimonial Causes Act 1973

6.—(1) The Matrimonial Causes Act 1973 ^{M1} is amended as follows.

[^{F1}(2) In section 27 (financial provision orders in cases of neglect to maintain), for subsection (2) substitute—

“(2) The court may not entertain an application under this section unless—

- (a) the applicant or the respondent is domiciled in England and Wales on the date of the application;
- (b) the applicant has been habitually resident there throughout the period of one year ending with that date; or
- (c) the respondent is resident there on that date.

(2A) If the application or part of it relates to a matter in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain that application or part of it except where permitted by Article 18.

(2B) In subsection (2A), “the 2007 Hague Convention” means the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance concluded on 23 November 2007 at The Hague.”.]

(3) In section 35 (alteration of agreements by court during lives of parties)—

- (a) in subsection (1), omit “, subject to subsections (1A) and (3) below,”;
- (b) omit subsection (1A).

(4) In section 52 (interpretation), in subsection (1), omit the definition of “the Maintenance Regulation”.

F1 Sch. para. 6(2) substituted (17.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, 5(3)(b)

Commencement Information

II Sch. para. 6 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

Marginal Citations

M1 1973 c. 18, amended by [S.I. 2011/1484](#); there are other amending instruments but none is relevant.

Changes to legislation:

There are currently no known outstanding effects for the The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 6.