Status: This is the original version (as it was originally enacted).

## SCHEDULES

## SCHEDULE 11

#### TRANSFER OF JURISDICTION TO FAMILY COURT

## PART 1

#### AMENDMENTS OF ENACTMENTS

# Matrimonial Causes Act 1973 (c. 18)

- 64 (1) Section 38 (orders for repayment of periodical payments mistakenly made) is amended as follows.
  - (2) In subsection (2) (powers of the court when dealing with an application for repayment) after "On an application under this section the court" insert "to which the application is made".
  - (3) In subsection (3) (application for repayment may be made in enforcement proceedings, or to county court) for "a county court", in each place, substitute "the family court".
  - (4) Omit subsection (4) (no limits on jurisdiction of county court under subsection (3)).
  - (5) In subsection (6) (liability of court officers in respect of orders for periodical payments)—
    - (a) in the words before paragraph (a) for "The designated officer for a magistrates' court to whom any payments under a payments order are required to be made," substitute "An officer of the family court,", and
    - (b) in paragraph (a)—
      - (i) for "the designated officer," substitute "an officer of the family court,", and
      - (ii) for "in pursuance of the payments order" substitute ", in pursuance of a payments order requiring payments to be made to the court or an officer of the court,".
  - (6) In subsection (7) (meaning of "collecting officer") for "the registrar of a county court or the designated officer of a magistrates' court" substitute "or the officer of the family court,".