

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,”.