

SCHEDULES

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

- 5 (1) In section 26 of the Matrimonial Causes Act 1965 (orders for maintenance of survivor from estate of deceased former spouse)—
- (a) in subsection (4) (matters to which the court is to have regard on an application under the section), in paragraph (c) the following sub-paragraph shall be inserted after sub-paragraph (ii) (in place of the sub-paragraph inserted by paragraph 1(1) of Schedule 2 to the Matrimonial Proceedings and Property Act 1970):—
 - “(iii) where the survivor is a former wife or a former husband of the deceased, for an order under section 2 or 4 of the Matrimonial Proceedings and Property Act 1970 or under section 23(1)(a), (b) or (c) or 24 of the Matrimonial Causes Act 1973”;
 - (b) in subsection (6), the words "means the High Court and" inserted by paragraph 8 of Schedule 1 to the Divorce Reform Act 1969 (after the word " court " where first occurring in the definition of " court" inserted in that subsection by section 7(4) of the Family Provision Act 1966) shall continue to have effect notwithstanding the repeal by this Act of the Divorce Reform Act 1969 ;
 - (c) in subsection (6), in the definition of " former spouse", for the words " this Act" there shall be substituted the words " the Matrimonial Causes Act 1973 "
- (2) In section 42 of that Act (provisions as to condonation), at the beginning of subsections (1) and (3) there shall be inserted the words " For the purposes of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 ".