

## SCHEDULE

### Amendment of primary and secondary legislation

#### PART 1

#### Amendment of primary legislation

#### **Amendment of the Matrimonial and Family Proceedings Act 1984**

**13.**—(1) The Matrimonial and Family Proceedings Act 1984 <sup>M1</sup> is amended as follows.

[<sup>F1</sup>(2) In section 15 (jurisdiction of the court)—

- (a) in subsection (1), for “subsections (1A) and (2)” substitute “subsection (1A)”;
- (b) in subsection (1A), for the words from “where” to “the end substitute “in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18”;
- (c) in subsection (3), for the words from ““the Maintenance Regulation”” to the end substitute ““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 16 (duty of the court to consider whether England and Wales is appropriate venue for application)—

- (a) in subsection (1), omit “Subject to subsection (3),”;
- (b) omit subsection (3);
- (c) omit subsection (4).

[<sup>F2</sup>(4) In section 28 (circumstances in which a Scottish court may entertain application for financial provision)—

- (a) in subsection (1), for “subsections (3A) and (4)” substitute “subsection (3A)”;
- (b) in subsection (3A), for the words from “where” to the end substitute “in relation to which Article 18 of the 2007 Hague Convention applies, the court may not entertain the application or that part of it except where permitted by Article 18”;
- (c) for subsection (5) substitute—

“(5) “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.”]

**F1** Sch. para. 13(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)(e)(i)

**F2** Sch. para. 13(4) substituted (17.12.2020) by [The Jurisdiction, Judgments and Applicable Law \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1574\)](#), regs. 1, 5(3)(e)(ii)

#### **Commencement Information**

**I1** Sch. para. 13 in force on IP completion day (in accordance with 2020 c. 1, Sch. 5 para. 1(1)), see reg. 1(1)

#### **Marginal Citations**

**M1** 1984 c. 42, as 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 13.