



Domicile and Matrimonial Proceedings Act 1973

CHAPTER 45

DOMICILE AND MATRIMONIAL PROCEEDINGS ACT 1973

PART I

DOMICILE

Husband and wife

- 1 Abolition of wife's dependent domicile
- 2 Amendments of Recognition Act consequent on s. 1

Minors and pupils

- 3 Age at which independent domicile can be acquired
- 4 Dependent domicile of child not living with his father

PART II

JURISDICTION IN MATRIMONIAL PROCEEDINGS (ENGLAND AND WALES)

- 5 Jurisdiction of High Court and county courts
- 6 Miscellaneous amendments, transitional provision and savings

PART III

JURISDICTION IN CONSISTORIAL CAUSES (SCOTLAND)

- 7 Jurisdiction of Court of Session
- 8 Jurisdiction of sheriff court in respect of actions for separation
- 9 Jurisdiction in respect of actions for reduction of consistorial decrees
- 10 Ancillary and collateral orders

- 11 Sisting of certain actions
- 12 Supplementary

PART IV

JURISDICTION IN MATRIMONIAL PROCEEDINGS (NORTHERN IRELAND)

- 13 Jurisdiction of High Court in Northern Ireland
- 14 Transitional provision and saving

PART V

MISCELLANEOUS AND GENERAL

- 15 Extension of Recognition Act to Northern Ireland
- 16 Non-judicial divorces
- 17 Citation, etc.

SCHEDULES

SCHEDULE 1 — Staying of Matrimonial Proceedings (England and Wales)

Interpretation

- 1 The following five paragraphs have effect for the interpretation of...
- 2 " Matrimonial proceedings " means any proceedings so far as...
- 3 (1) " Another jurisdiction " means any country outside England and...
- 4 (1) References to the trial or first trial in any...
- 5 Any reference in this Schedule to proceedings in another jurisdiction...
- 6 " Prescribed " means prescribed by rules of court.

Duty to furnish particulars of concurrent proceedings in another jurisdiction

- 7 While matrimonial proceedings are pending in the court in respect...

Obligatory stays

- 8 (1) Where before the beginning of the trial or first...

Discretionary stays

- 9 (1) Where before the beginning of the trial or first...

Supplementary

- 10 (1) Where an order staying any proceedings is in force...
- 11 (1) The provisions of sub-paragraphs (2) and (3) below shall...

SCHEDULE 2 — Ancillary and Collateral Orders (Scotland)

PART I

Enactments and rules of law referred to in section 10(1) and in Schedule 3 paragraph 11(1)

- 1 Any rule of law empowering a court to make an...
- 2 Any rule of law empowering the Court of Session to...
- 3 Paragraph (2) of section 5 of the Sheriff Courts (Scotland)...
- 4 Section 9 (orders with respect to children) of the Conjugal...

- 5 Section 10 of the Matrimonial Proceedings (Children) Act 1958 so...
- 6 Section 13 (power to prohibit in certain cases removal of...
- 7 Any enactment or rule of law empowering a court to...

PART II

Further enactments and rules of law referred to in section 10(1)

- 8 Section 7 (guardianship in case of divorce or judicial separation)...
- 9 Section 2 (effect of divorce on property rights) of the...
- 10 Section 10 of the Matrimonial Proceedings (Children) Act 1958, so...
- 11 Section 12 (power of court to provide for supervision of...
- 12 Section 26 (orders for financial provision on divorce) and section...
- 13 Any rule of law empowering a court, in connection with...
- 14 Any rule of law empowering a court to make an...
- 15 Any enactment or rule of law empowering a court to...

SCHEDULE 3 — Sisting of Consistorial Actions (Scotland)

Interpretation

- 1 The following six paragraphs have effect for the interpretation of...
- 2 " Consistorial action" means any action so far as it...
- 3 (1) " Another jurisdiction" means any country outside Scotland.
- 4 For the purposes of this Schedule— (a) in any action...
- 5 Any reference in this Schedule to proceedings in another jurisdiction...
- 6 " Prescribed " means prescribed by rules of court.

Duty to furnish particulars of concurrent proceedings in another jurisdiction

- 7 While any consistorial action is pending in the Court of...

Mandatory sists

- 8 Where before the beginning of the proof in any action...

Discretionary sists

- 9 (1) Where before the beginning of the proof in any...

Supplementary

- 10 (1) Where an action is sisted in pursuance of paragraph...
- 11 (1) The provisions of sub-paragraphs (2) and (3) below shall...

SCHEDULE 4 — Consequential Amendments of Scottish Enactments

- 1 In section 6 of the Sheriff Courts (Scotland) Act 1907,...
- 2 In section 5 of the Divorce (Scotland) Act 1938, in...

SCHEDULE 5 — Staying of Matrimonial Proceedings (Northern Ireland)

- 1 Schedule 1 to this Act shall extend to Northern Ireland...
- 2 For paragraph 3, substitute the following— (1) " Another jurisdiction " means any country outside Northern...
- 3 In paragraph 6, for " rules of court" substitute "...
- 4 (1) In paragraph 11(1), omit the definition of " lump...

SCHEDULE 6 — Repeals