



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

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
- 10 Ancillary and collateral orders.

Status: Point in time view as at 31/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Domicile and Matrimonial Proceedings Act 1973. (See end of Document for details)

- 11 Sisting of certain actions.
- 12 Supplementary.

PART IV

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PART V

MISCELLANEOUS AND GENERAL

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- 17 Citation, etc.

SCHEDULES

SCHEDULE A1 — JURISDICTION IN RELATION TO MARRIAGE OF SAME SEX COUPLES

- 1 Introduction
- 2 Divorce, judicial separation or annulment
- 3 Presumption of death order
- 4 Declaration of validity
- 5 Power to make provision corresponding to EC Regulation 2201/2003
- 6 Interpretation

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 they are...
- 3 (1) “Another jurisdiction” means any country outside England and Wales...
- 4 (1) References to the trial or first trial in any...
- 4A (1) “Statement of marital breakdown” has the same meaning as...
- 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...

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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, 2
- 2A Any enactment or rule of law empowering a court 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
- 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...
- 12A Section 5 (orders for financial provision) and section 6 (orders...
- 12B Section 8 (orders for financial provision on divorce), section 17(1)...
- 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 is...
- 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...

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SCHEDULE 4 — CONSEQUENTIAL AMENDMENTS OF SCOTTISH ENACTMENTS

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

SCHEDULE 5 — ...

SCHEDULE 6 — Repeals

Status:

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Changes to legislation:

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