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STATUTORY INSTRUMENTS

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**1998 No. 2572 (C. 60)**

**FAMILY LAW**

**The Family Law Act 1996  
(Commencement) (No. 3) Order 1998**

*Made - - - - 19th October 1998*

The Lord Chancellor, in exercise of the powers conferred on him by sections 65 and 67 of the Family Law Act 1996<sup>(1)</sup>, makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Family Law Act 1996 (Commencement) (No. 3) Order 1998.

**Interpretation**

2. In this Order:  
“the Act” means the Family Law Act 1996;  
“the 1973 Act” means the Matrimonial Causes Act 1973<sup>(2)</sup>;

**Commencement of provisions in Family Law Act 1998**

3. Paragraph 16(5)(a), (6)(b) and (7)(3) of Schedule 8 to the Act shall come into force on 1st November 1998.

**Transitional provisions**

4. Until such time as Schedule 2 to the Act comes into force<sup>(4)</sup>, section 31(7A) to (7F) of the 1973 Act shall be modified as follows:
  - (a) in section 31(7D), for “Subsections (7) and (8) of section 22A” there shall be substituted “Section 23(6)”, and for “section 22A” there shall be substituted “section 23”;
  - (b) in section 31(7F), for “section 23A” there shall be substituted “section 24”.

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(1) 1996 c. 27.

(2) 1973 c. 18.

(3) Paragraph 16(5)(a) and (6)(b) amend, respectively, section 31(5) and (7)(a) of the Matrimonial Causes Act 1973, and paragraph 16(7) inserts section 31(7A) to (7F).

(4) Schedule 2 to the Family Law Act 1996, which has yet to come into force, makes substantial amendments to Part II of the Matrimonial Causes Act 1973.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Dated 19th October 1998

*Irvine of Lairg, C.*

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings paragraph 16(5)(a), (6)(b) and (7) of Schedule 8 to the Family Law Act 1996 into force on 1st November 1998, subject to transitional provisions.

The provisions being brought into force insert section 31(7A) to (7F) into the Matrimonial Causes Act 1973, extending the range of ancillary orders available to the court, including the power to make a lump sum order or a property adjustment order on the discharge of a periodical payments order or secured periodical payments order.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
Part I (section 1)	21.3.97	1997/1077
Section 22		
Part III (sections 26–29)		
Section 66(1) and Schedule 8 (partially)		
Section 66(3) and Schedule 10 (partially)		
Section 57	28.7.97	1997/1892
Section 66(2) and Schedule 9 (partially)		
Part IV (sections 30–63) (except sections 57 and 60)	1.10.97	1997/1892
Section 66(1) and Schedule 8 (partially)		
Section 66(2) and Schedule 9 (partially)		
Section 66(3) and Schedule 10 (partially).		

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