STATUTORY INSTRUMENTS

1967 No. 1810 (L.16)

SUPREME COURT OF JUDICATURE, ENGLAND

PROCEDURE

The Matrimonial Causes (Amendment No. 2) Rules 1967

Made - - -	*4th December* 1967
Laid before Parliament	*15th December* 1967
Coming into Operation	*1st January* 1968

We, the Rule Committee of the Supreme Court, being the authority having for the time being power under section 99(4) of the Supreme Court of Judicature (Consolidation) Act 1925(**a**) to make, amend or revoke rules regulating the practice and procedure of the Supreme Court of Judicature, hereby exercise those powers as follows:—

1.—(1) These Rules may be cited as the Matrimonial Causes (Amendment No. 2) Rules 1967, and shall come into operation on 1st January 1968.

(2) The Interpretation Act 1889(**b**) shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament.

2. The following rule shall be inserted in the Matrimonial Causes Rules 1957(**c**), as amended (**d**), after rule 77:—

"*Proceedings under section 7 of the Matrimonial Homes Act* 1967

77A.—(1) The jurisdiction of the court under section 7 of the Matrimonial Homes Act 1967(**e**) may be exercised by a registrar.

(2) The summons by which an application under the said section 7 is made shall be served on—

(*a*) the spouse entitled as mentioned in subsection (1) of that section to occupy the dwelling house to which the application relates, and

(*b*) the landlord of the dwelling house,

and any person so served shall be entitled to be heard on the application without entering an appearance to the petition."

Dated 4th December 1967.

Gardiner, C.
Parker of Waddington, C.J.
Cyril Salmon, L.J.
Geoffrey Cross, J.
Fenton Atkinson, J.
Eustace Roskill, J.
Robin Dunn
N. Browne-Wilkinson
Arthur J. Driver

(**a**) 1925 c. 49. (**b**) 1889 c. 63. (**c**) S.I. 1957/619 (1957 II, p. 2406).
(**d**) There is no amendment which relates expressly to the subject matter of these Rules.
(**e**) 1967 c. 75.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These rules add a new rule to the Matrimonial Causes Rules 1957 enabling a registrar to deal with an application under section 7 of the Matrimonial Homes Act 1967 for the transfer of a tenancy to which the Rent Acts apply from one spouse to the other. They also make provision for the landlord to be heard in the proceedings.