STATUTORY INSTRUMENTS

1982 No. 1853 (L. 34)

MATRIMONIAL CAUSES
SUPREME COURT OF ENGLAND AND WALES
COUNTY COURTS

The Matrimonial Causes (Amendment) Rules 1982

Made - - - -	13*th December* 1982
Laid before Parliament	17*th January* 1983
Coming into Operation	14*th February* 1983

We, the authority having power to make rules of court for the purposes mentioned in section 50 of the Matrimonial Causes Act 1973(**a**), hereby exercise that power as follows:—

1.—(1) These Rules may be cited as the Matrimonial Causes (Amendment) Rules 1982.

(2) These Rules shall come into operation on 14th February 1983.

(3) In these Rules a rule referred to by number means the rule so numbered in the Matrimonial Causes Rules 1977(**b**).

2. Rule 92(2)(*a*) shall be amended by inserting, after the word "custody", a comma and the word "supervision".

3. Rule 107 shall be amended as follows:—

(1) In the heading for the words "sections 1", there shall be substituted the words "section 1 of", and for the words "7 of" there shall be substituted the words "Schedule 2 to".

(2) In paragraph (3) for the words "section 7 of" there shall be substituted the words "Schedule 2 to".

(3) In paragraph (4) for the words "section 7" there shall be substituted "Schedule 2", and for the words "subsection (1) of that section" there shall be substituted the words "paragraph 1 of that Schedule".

(**a**) 1973 c. 18. (**b**) S.I. 1977/344.

(4) After paragraph (4) there shall be added the following paragraph:—

"(5) Any court in which an application for an order under the said Schedule 2 is pending may, if it is a divorce county court, order the transfer of the application to the High Court or another divorce county court or, if it is the High Court, order the transfer of the application to a divorce county court, where the transfer appears to the court to be desirable and, unless the court otherwise directs, a transfer of the cause in which the decree is sought or granted shall include a transfer of the application."

Hailsham of St. Marylebone, C.
John Arnold, P
Kenneth Hollings, J
T. R. Heald
Anthony Tibber
B. P. Tickle
D. H. C. Lowis
Mathew Thorpe
Peter Singer
Douglas Rubery
J. M. Wickerson

Dated 13th December 1982.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the Matrimonial Causes Rules 1977 so as—

(a) to provide that a registrar may make an order, in terms agreed between the parties, under Section 44 of the Matrimonial Causes Act 1973 for the supervision of a child; and

(b) to provide that an application for an order for the transfer of certain tenancies under Schedule 2 of the Matrimonial Homes Act 1967 (c. 75) (as inserted by the Matrimonial Homes and Property Act 1981 (c. 24)) may be transferred from the court which granted the decree to any other court having divorce jurisdiction.

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