
STATUTORY INSTRUMENTS

1978 No. 1045

Matrimonial Causes (Northern Ireland) Order 1978

PART III

**FINANCIAL RELIEF FOR PARTIES TO
MARRIAGE AND CHILDREN OF FAMILY**

Financial provision and property adjustment orders

Financial provision and property adjustment orders

23.—(1) The financial provision orders for the purposes of this Order are the orders for periodical or lump sum provision available (subject to the provisions of this Order) under Article 25 for the purpose of adjusting the financial position of the parties to a marriage and any children of the family in connection with proceedings for divorce, nullity of marriage or judicial separation and under Article 29(6) on proof of neglect by one party to a marriage to provide, or to make a proper contribution towards, reasonable maintenance for the other or a child of the family, that is to say—

- (a) any order for periodical payments in favour of a party to a marriage under Article 25(1) (*a*) or 29(6)(*a*) or in favour of a child of the family under Article 25(1)(*d*), (2) or (4) or 29(6)(*d*);
- (b) any order for secured periodical payments in favour of a party to a marriage under Article 25(1)(*b*) or 29(6)(*b*) or in favour of a child of the family under Article 25(1)(*e*), (2) or (4) or 29(6)(*e*); and
- (c) any order for lump sum provision in favour of a party to a marriage under Article 25(1) (*c*) or 29(6)(*c*) or in favour of a child of the family under Article 25(1)(*f*), (2) or (4) or 29(6)(*f*);

and references in this Order to periodical payments orders, secured periodical payments orders, and orders for the payment of a lump sum are references to all or some of the financial provision orders requiring the sort of financial provision in question according as the context of each reference may require.

(2) The property adjustment orders for the purposes of this Order are the orders dealing with property rights available (subject to the provisions of this Order) under Article 26 for the purpose of adjusting the financial position of the parties to a marriage and any children of the family on or after the grant of a decree of divorce, nullity of marriage or judicial separation, that is to say—

- (a) any order under paragraph (1)(*a*) of that Article for a transfer of property;
- (b) any order under paragraph (1)(*b*) of that Article for a settlement of property; and
- (c) any order under paragraph (1)(*c*) or (*d*) of that Article for a variation of settlement.

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial Causes (Northern Ireland) Order 1978, Section 23.