



Matrimonial Causes Act 1965

1965 CHAPTER 72

PART II

ANCILLARY RELIEF

Maintenance from estate of deceased former spouse

27 Discharge and variation of orders under s. 26.

- (1) Subject to the following provisions of this section, where an order (in this section referred to as “the original order”) has been made under the last foregoing section, the court, on an application under this section, shall have power by order to discharge or vary the original order or to suspend any provision of it temporarily and to revive the operation of any provision so suspended.
- (2) An application under this section may be made by any of the following persons, that is to say,—
 - (a) the former spouse on whose application the original order was made;
 - (b) any other former spouse of the deceased;
 - (c) any dependant of the deceased;
 - (d) the trustees of any relevant property;
 - (e) any person who, under the will or codicil of the deceased or under the law relating to intestacy, is beneficially interested in any relevant property.
- (3) An order under this section varying the original order, or reviving any suspended provision of it, shall not be made so as to affect any property which, at the time of the application for the order under this section, is not relevant property.
- (4) In exercising the powers conferred by this section, the court shall have regard to all the circumstances of the case, including any change in the circumstances to which the court was required to have regard in determining the application for the original order.
- (5) In this section “relevant property” means property the income of which, in accordance with the original order or any consequential directions given by the court in connection

Changes to legislation: There are currently no known outstanding effects for the Matrimonial Causes Act 1965, Section 27. (See end of Document for details)

with it, is applicable wholly or in part for the maintenance of the former spouse on whose application the original order was made.

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There are currently no known outstanding effects for the Matrimonial Causes Act 1965, Section 27.