



Family Provision Act 1966

1966 CHAPTER 35

- 4 Lump sum payments under Inheritance (Family Provision) Act 1938 or under s. 26 of Matrimonial Causes Act 1965**
- (1) An order for maintenance under section 1 or 4 of the Inheritance (Family Provision) Act 1938 (maintenance out of deceased's estate for spouse or child), or under section 26 of the Matrimonial Causes Act 1965 (maintenance out of deceased's estate for former spouse), may in any case in which the court sees fit provide for maintenance in whole or in part by way of a lump sum payment; and accordingly—
- (a) in the said section 1, as amended by Schedule 3 to the Intestates' Estates Act 1952, the words " Where the value of a deceased's net estate does not exceed five thousand pounds " at the beginning of subsection (4) shall be omitted, and after the word " power " in that subsection there shall be inserted the words " if it sees fit "; and
 - (b) in the said section 26 for the words " if the value of the net estate of the deceased does not exceed five thousand pounds " in subsection (3) there shall be substituted the words " if the court sees fit ".
- (2) This section shall not apply to orders made with reference to the death of any person dying before the coming into force of this section.