



Matrimonial Proceedings and Property Act 1970

1970 CHAPTER 45

PART I

PROVISIONS WITH RESPECT TO ANCILLARY AND OTHER RELIEF IN MATRIMONIAL CAUSES AND TO CERTAIN OTHER MATRIMONIAL PROCEEDINGS

*Powers of court in cases of divorce, etc., to make orders with respect to
financial provision for parties to the marriage and children of the family*

3 Financial provision for child of the family in cases of divorce, etc.

- (1) Subject to the provisions of section 8 of this Act, in proceedings for divorce, nullity of marriage or judicial separation, the court may make any one or more of the orders mentioned in subsection (2) below—
 - (a) before or on granting the decree of divorce, of nullity of marriage or of judicial separation, as the case may be, or at any time thereafter ;
 - (b) where any such proceedings are dismissed after the beginning of the trial, either forthwith or within a reasonable period after the dismissal.
- (2) The orders referred to in subsection (1) above are—
 - (a) an order that a party to the marriage shall make to such person as may be specified in the order for the benefit of a child of the family, or to such a child, such periodical payments and for such term as may be so specified;
 - (b) an order that a party to the marriage shall secure to such person as may be so specified for the benefit of such a child, or to such a child, to the satisfaction of the court, such periodical payments and for such term as may be so specified ;
 - (c) an order that a party to the marriage shall pay to such person as may be so specified for the benefit of such a child, or to such a child, such lump sum as may be so specified.

***Status:** This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

- (3) Without prejudice to the generality of subsection (2)(c) above, an order under this section for the payment of a lump sum to any person for the benefit of a child of the family, or to such a child, may be made for the purpose of enabling any liabilities or expenses reasonably incurred by or for the benefit of that child before the making of an application for an order under this section to be met.
- (4) An order under this section for the payment of a lump sum may provide for the payment of that sum by instalments of such amount as may be specified in the order and may require the payment of the instalments to be secured to the satisfaction of the court.
- (5) While the court has power to make an order in any proceedings by virtue of subsection (1)(a) above, it may exercise that power from time to time; and where the court makes an order by virtue of subsection (1)(b) above in relation to a child it may from time to time make a further order under this section in relation to him.