



# Matrimonial Causes Act 1973

## 1973 CHAPTER 18

### PART II

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

*Ancillary relief in connection with divorce proceedings, etc.*

#### 26 Commencement of proceedings for ancillary relief, etc.

- (1) Where [<sup>F1</sup>an application for a divorce, nullity of marriage or judicial separation order has been made,] then, subject to subsection (2) below, proceedings for maintenance pending suit under section 22 above, for a financial provision order under section 23 above, or for a property adjustment order may be begun, subject to and in accordance with rules of court, at any time after the [<sup>F2</sup>presentation of the application].
- (2) Rules of court may provide, in such cases as may be prescribed by the rules—
- (a) that applications for any such relief as is mentioned in subsection (1) above shall be made in the [<sup>F3</sup>application or response]; and
  - (b) that applications for any such relief which are not so made, or are not made until after the expiration of such period following the [<sup>F4</sup>presentation of the application or filing of the response] as may be so prescribed, shall be made only with the leave of the court.

#### Textual Amendments

- F1** Words in s. 26(1) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), [Sch. para. 26\(a\)\(i\)](#) (with s. 8(4)-(6)); S.I. 2022/283, reg. 2
- F2** Words in s. 26(1) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), [Sch. para. 26\(a\)\(ii\)](#) (with s. 8(4)-(6)); S.I. 2022/283, reg. 2
- F3** Words in s. 26(2)(a) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), [Sch. para. 26\(b\)](#) (with s. 8(4)-(6)); S.I. 2022/283, reg. 2
- F4** Words in s. 26(2)(b) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), [Sch. para. 26\(c\)](#) (with s. 8(4)-(6)); S.I. 2022/283, reg. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 26.