



# Matrimonial Causes Act 1973

## 1973 CHAPTER 18

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

#### 52 Interpretation.

(1) In this Act—

<sup>F1</sup> ...

“child”, in relation to one or both of the parties to a marriage, includes an illegitimate <sup>F2</sup> ... child of that party or, as the case may be, of both parties;

“child of the family”, in relation to the parties to a marriage, means—

(a) a child of both of those parties; and

(b) any other child, not being a child who [<sup>F3</sup>is placed with those parties as foster parents] by a local authority or voluntary organisation, who has been treated by both of those parties as a child of their family;

[<sup>F4</sup>“the court” (except where the context otherwise requires) means the High Court or the family court;]

<sup>F5</sup> ...

“education” includes training.

[<sup>F6</sup>“[<sup>F7</sup>maintenance calculation]” has the same meaning as it has in the Child Support Act 1991 by virtue of section 54 of that Act as read with any regulations in force under that section.]

<sup>F8</sup> ...

(2) In this Act—

(a) references to financial provision orders, periodical payments and secured periodical payments orders and orders for the payment of a lump sum, and references to property adjustment orders, shall be construed in accordance with section 21 above;

[<sup>F9</sup>(aa) references to pension sharing orders shall be construed in accordance with section 21A above; and]

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*Changes to legislation: There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 52. (See end of Document for details)*

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- (b) references to orders for maintenance pending suit and to interim orders for maintenance shall be construed respectively in accordance with section 22 and section 27(5) above.
- (3) For the avoidance of doubt it is hereby declared that references in this Act to remarriage include references to a marriage which is by law void or voidable.
- [<sup>F10</sup>(3A) References in this Act to the formation of a civil partnership by a person include references to a civil partnership which is by law void or voidable.]
- (4) Except where the contrary intention is indicated, references in this Act to any enactment include references to that enactment as amended, extended or applied by or under any subsequent enactment, including this Act.

#### Textual Amendments

- F1** Definition repealed by [Children Act 1975 \(c. 72\)](#), **Sch. 4 Pt. I** as respects things done, or events occurring, after 31.12.1975
- F2** Words repealed by [Children Act 1975 \(c. 72\)](#), **Sch. 4 Pt. I** as respects things done, or events occurring, after 31.12.1975
- F3** Words in s. 52(1) substituted (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108, **Sch. 12 para. 33** (with [Sch. 14 para. 1\(1\)](#)); S.I. 1991/828, **art. 3(2)**
- F4** Definition in s. 52(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 11 para. 65(1)** (with [Sch. 11 para. 65\(2\)](#)); S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F5** Definition in s. 52(1) repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108, **Sch. 15** (with [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, **art. 3(2)**
- F6** Definition in s. 52(1) inserted (5.4.1993) by S.I. 1993/623, art. 2, **Sch. 1 para. 4**
- F7** Words in s. 52(1) substituted (3.3.2003 for certain purposes, otherwise prosp.) by 2000 c. 19, ss. 26, 86(2), **Sch. 3 para. 3(4)** (with s. 83(6)); S.I. 2003/192, **art. 3**, **Sch.**
- F8** Words in s. 52(1) omitted (31.12.2020) by virtue of [The Jurisdiction and Judgments \(Family\) \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/519\)](#), reg. 1(1), **Sch. para. 6(4)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, **Sch. 5 para. 1(1)**
- F9** S. 52(2)(aa) substituted for word in s. 52(2) (1.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 19, **Sch. 3 para. 11**; S.I. 2000/1116, **art. 2**
- F10** S. 52(3A) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, {[Sch. 27 para. 46](#)}; S.I. 2005/3175, **art. 2(2)** (subject to art. 2(3)-(5))

**Changes to legislation:**

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 52.