



# Matrimonial and Family Proceedings Act 1984

## 1984 CHAPTER 42

### PART III

#### FINANCIAL RELIEF IN ENGLAND AND WALES AFTER OVERSEAS DIVORCE ETC.

##### *Orders for financial provision and property adjustment*

#### **17 Orders for financial provision and property adjustment.**

[<sup>F1</sup>(1) Subject to section 20 below, on an application by a party to a marriage for an order for financial relief under this section, the court may—

(a) make any one or more of the orders which it could make under Part II of the 1973 Act if a [<sup>F2</sup>divorce order, nullity of marriage order or judicial separation order in respect of the marriage had been made] in England and Wales, that is to say—

(i) any order mentioned in section 23(1) of the 1973 Act (financial provision orders); and

(ii) any order mentioned in section 24(1) of that Act (property adjustment orders); and

(b) if the marriage has been dissolved or annulled, make one or more orders each of which would, within the meaning of that Part of that Act, be a pension sharing order in relation to the marriage.

[<sup>F3</sup>(c) if the marriage has been dissolved or annulled, make an order which would, within the meaning of that Part of that Act, be a pension compensation sharing order in relation to the marriage.]]

(2) Subject to section 20 below, where the court makes a secured periodical payments order, an order for the payment of a lump sum or a property adjustment order under subsection (1) above, then, on making that order or at any time thereafter, the court may make any order mentioned in section 24A(1) of the 1973 Act (orders for sale of

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*Changes to legislation: Matrimonial and Family Proceedings Act 1984, Section 17 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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property) which the court would have power to make if the order under subsection (1) above had been made under Part II of the 1973 Act.

#### Textual Amendments

- F1** S. 17(1) substituted (1.12.2000) by 1999 c. 30, s. 84, **Sch. 12 Pt. I para. 3**; S.I. 2000/1116, **art. 2(b)**
- F2** Words in s. 17(1)(a) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 48(2)**; S.I. 2022/283, reg. 2
- F3** S. 17(1)(c) added (6.4.2011) by Pensions Act 2008 (c. 30), s. 149(1), **Sch. 6 para. 11**; S.I. 2011/664, art. 2(3), Sch. Pt. 2

**Changes to legislation:**

Matrimonial and Family Proceedings Act 1984, Section 17 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 17(1) amended (prosp.) by [1996 c. 27 s. 66\(1\)Sch. 8 Pt. 1 para. 32\(2\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 28(1A) words substituted by S.I. 2019/519, Sch. para. 13(4)(b) (as substituted) by [S.I. 2019/1338 reg. 3\(3\)\(e\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 40(4A) inserted by [2010 c. 26 Sch. 3 para. 9](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))