



# Family Law (Scotland) Act 1985

## 1985 CHAPTER 37

*Financial provision on divorce, etc.*

### **8 Orders for financial provision**

- (1) In an action for divorce, either party to the marriage may apply to the court for one or more of the following orders—
  - (a) an order for the payment of a capital sum or the transfer of property to him by the other party to the marriage ;
  - (b) an order for the making of a periodical allowance to him by the other party to the marriage;
  - (c) an incidental order within the meaning of section 14(2) of this Act.
- (2) Subject to sections 12 to 15 of this Act, where an application has been made under subsection (1) above, the court shall make such order, if any, as is—
  - (a) justified by the principles set out in section 9 of this Act; and
  - (b) reasonable having regard to the resources of the parties.
- (3) An order under subsection (2) above is in this Act referred to as an " order for financial provision ".