



Matrimonial Proceedings and Property Act 1970

CHAPTER 45

MATRIMONIAL PROCEEDINGS AND PROPERTY ACT 1970

PART I

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

Maintenance pending suit in cases of divorce, etc.

- 1 Maintenance pending suit in cases of divorce, etc.

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

- 2 Financial provision for party to a marriage in cases of divorce, etc.
- 3 Financial provision for child of the family in cases of divorce, etc.
- 4 Orders for transfer and settlement of property and for variation of settlements in cases of divorce, etc.
- 5 Matters to which court is to have regard in deciding what orders to make under ss. 2, 3 and 4

Additional powers of court to make orders requiring party to marriage to make payments to other party, etc.

- 6 Neglect by party to marriage to maintain other party or child of the family

Further provisions relating to orders under sections 2, 3, 4 and 6

- 7 Duration of certain orders made in favour of party to marriage and effect of remarriage
- 8 Provisions as to powers of court to make orders in favour of children and duration of such orders

Provisions as to variation, discharge and enforcement of certain orders

- 9 Variation, discharge, etc., of orders for financial provision
- 10 Payment of certain arrears unenforceable without the leave of the court
- 11 Power of court to order sums paid under certain orders to be repaid in certain cases
- 12 Application of Maintenance Orders Acts to orders under ss. 1, 2, 3 and 6

Maintenance agreements

- 13 Validity of maintenance agreements
- 14 Alteration of agreements by court during lives of parties
- 15 Alteration of agreements by court after death of one party

A avoidance of transactions intended to defeat certain claims

- 16 Avoidance of transactions intended to defeat certain claims

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- 17 Restrictions on decrees for dissolution, annulment or separation affecting children
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- 19 Orders for custody of children in cases of neglect to maintain

Abolition of right to claim restitution of conjugal rights

- 20 Abolition of right to claim restitution of conjugal rights

Remarriage of party entitled to payments under certain orders, etc.

- 21 Order for maintenance of party to marriage under Matrimonial Causes Act 1965 to cease to have effect on remarriage of that party
- 22 Orders for repayment in certain cases of sums paid after cessation of order by reason of remarriage

Miscellaneous and supplemental

- 23 Settlement, etc., made in compliance with order under s. 4 may be avoided on bankruptcy of settlor
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- 26 Payments, etc., under order made in favour of person suffering from mental disorder
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Transitional provisions, savings, etc.

- 28 Transitional provisions and savings

- 29 Validation of certain void or voidable decrees

PART II

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- 30 Order for maintenance of party to marriage made by magistrates' court to cease to have effect on remarriage of that party
- 31 Sums paid after cessation of order of magistrates' court by reason of remarriage may be ordered to be repaid in certain cases
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- 33 Minor corrections of Matrimonial Proceedings (Magistrates' Courts) Act 1960, s. 7(3)

Provisions relating to certain proceedings in county courts

- 34 Jurisdiction of, and appeal on question of fact from, county court

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- 35 Amendment of reference to child in 1965 c. 72, s. 2
- 36 Construction of references to remarriage in 1965 c. 72, s. 26

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- 37 Contributions by spouse in money or money's worth to the improvement of property
- 38 Rights of occupation under Matrimonial Homes Act 1967 of spouse with equitable interest in home, etc.
- 39 Extension of s. 17 of Married Women's Property Act 1882
- 40 Judicially separated spouses not entitled to claim in intestacy of each other

Abolition of wife's agency of necessity

- 41 Abolition of wife's agency of necessity

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- 42 Minor and consequential amendments and repeals
- 43 Citation, commencement and extent

SCHEDULES

SCHEDULE 1 — Transitional Provisions and Savings

General provisions

- 1 Without prejudice to the provisions of section 38 of the...

Provisions relating to proceedings for restitution of conjugal rights

2 (1) Sections 13, 15, 21, 30(1), 31, 34(1), (4) and...

Variation, etc. of certain orders made, etc. under the Act of 1965

3 (1) Subject to the provisions of this paragraph, section 9...

4 Section 10 of this Act shall apply in relation to...

5 An application may be made under this paragraph in relation...

6 Section 18(6) of this Act shall apply in relation to...

Provisions with respect to certain maintenance agreements

7 Where the party chargeable under a maintenance agreement within the...

8 No right or liability shall attach by virtue of section...

Avoidance of transactions intended to defeat claims for relief under the Act of 1965

9 (1) Section 16 of this Act shall apply in relation...

Protection, custody, etc., of children

10 Section 33 of the Act of 1965 shall continue to...

11 Where in any such proceedings the court has made an...

12 Where the court has made an order under section 22...

SCHEDULE 2 — Minor and Consequential Amendments

1 (1) In section 26(4) of the Matrimonial Causes Act 1965...

2 (1) Section 2 of the Matrimonial Causes Act 1967 (jurisdiction...

3 At the end of paragraph (b) of subsection (1) of...

4 In section 8(3) of the Divorce Reform Act 1969 (grant...

5 At the end of Schedule 8 to the Administration of...

SCHEDULE 3 — Repeals