



Matrimonial Proceedings and Property Act 1970

1970 CHAPTER 45

PART I

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

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

- (1) The term to be specified in any order made by virtue of section 2(1)(a) or (b) of this Act or section 6(6)(a) or (b) thereof shall be such term, being a term beginning not earlier than the date of the making of an application for the order in question and lasting not longer than the maximum term, as the court thinks fit.
- (2) In subsection (1) above " the maximum term " means—
 - (a) in the case of an order made by virtue of the said section 2(1)(a) in proceedings for divorce or nullity of marriage, the joint lives of the parties to the marriage or a term ending with the date of the remarriage of the party in whose favour the order is made, whichever is the shorter;
 - (b) in the case of an order made by virtue of the said section 2(1)(b) in any such proceedings, the life of that party or a term ending with the date of the remarriage of that party, whichever is the shorter;
 - (c) in the case of an order made by virtue of the said section 2(1)(a) in proceedings for judicial separation or made by virtue of the said section 6(6)(a), the joint lives of the parties to the marriage ;
 - (d) in the case of an order made by virtue of the said section 2(1)(b) in proceedings for judicial separation or made by virtue of the said section 6 (6)(b), the life of the party in whose favour the order is made.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) Where an order is made by virtue of the said section 2(1)(a) or (b) in proceedings for judicial separation or by virtue of the said section 6 (6)(a) or (b) and the marriage of the parties affected by the order is subsequently dissolved or annulled but the order continues in force, the order shall, notwithstanding anything in it, cease to have effect on the remarriage of the party in whose favour it was made, except in relation to any arrears due under it on the date of such remarriage.
- (4) If after the grant of a decree dissolving or annulling a marriage either party to that marriage remarries, that party shall not be entitled to apply for an order under section 2 or 4 of this Act against the person to whom he or she was married immediately before the grant of that decree unless the remarriage is with that person and that marriage is also dissolved or annulled or a decree of judicial separation is made on a petition presented by either party to that marriage.