



Matrimonial Causes Act 1973

1973 CHAPTER 18

PART II

FINANCIAL RELIEF FOR PARTIES TO MARRIAGE AND CHILDREN OF FAMILY

Ancillary relief in connection with divorce proceedings, etc.

[^{F1}25C Pensions: lump sums.

- (1) The power of the court under section 23 above to order a party to a marriage to pay a lump sum to the other party includes, where the benefits which the party with pension rights has or is likely to have under a pension [^{F2}arrangement]] include any lump sum payable in respect of his death, power to make any of the following provision by the order.
- (2) The court may—
 - (a) if the [^{F3}person responsible for the pension arrangement in question has] power to determine the person to whom the sum, or any part of it, is to be paid, require [^{F4}him]to pay the whole or part of that sum, when it becomes due, to the other party,
 - (b) if the party with pension rights has power to nominate the person to whom the sum, or any part of it, is to be paid, require the party with pension rights to nominate the other party in respect of the whole or part of that sum,
 - (c) in any other case, require the [^{F5}person responsible for the pension arrangement] in question to pay the whole or part of that sum, when it becomes due, for the benefit of the other party instead of to the person to whom, apart from the order, it would be paid.
- (3) Any payment by the [^{F6}person responsible for the arrangement] under an order made under section 23 above by virtue of this section shall discharge so much of [^{F7}his] liability in respect of the party with pension rights as corresponds to the amount of the payment.

*Changes to legislation: There are currently no known outstanding effects for the
 Matrimonial Causes Act 1973, Section 25C. (See end of Document for details)*

- ^{F8}[(4) The powers conferred by this section may not be exercised in relation to a pension arrangement which—
- (a) is the subject of a pension sharing order in relation to the marriage, or
 - (b) has been the subject of pension sharing between the parties to the marriage.]

Textual Amendments

- F1** S. 25C inserted (1.8.1996 with effect as mentioned in S.I. 1996/1675) by 1995 c. 26, s. 166(1); S.I. 1996/1675, **art. 3(b)**
- F2** Word in s. 25C(1) substituted (11.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(1)(2)**; S.I. 2000/1116, **art. 2**
- F3** Words in s. 25C(2)(a) substituted (11.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(1)(3)(a)(i)**; S.I. 2000/1116, **art. 2**
- F4** Word in s. 25C(2)(a) substituted (11.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(1)(3)(a)(ii)**; S.I. 2000/1116, **art. 2**
- F5** Words in s. 25C(2)(c) substituted (11.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(1)(3)(b)**; S.I. 2000/1116, **art. 2**
- F6** Words in s. 25C(3) substituted (11.11.1999 for certain puurposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(1)(4)(a)**; S.I. 2000/1116, **art. 2**
- F7** Words in s. 25C(3) substituted (11.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(4)(b)**; S.I. 2000/1116, **art. 2**
- F8** S. 25C(4) inserted (11.11.1999 for certain purposes and otherwise 1.12.2000) by 1999 c. 30, s. 21, **Sch. 4 para. 2(5)**; S.I. 2000/1116, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 25C.