



Matrimonial Homes and Property Act 1981

1981 CHAPTER 24

PART II

ORDERS FOR SALE OF PROPERTY

7 Powers of court to order sale of property in matrimonial proceedings.

After section 24 of the ^{M1}Matrimonial Causes Act 1973 there shall be inserted the following section—

“24A Orders for sale of property.

- (1) Where the court makes under section 23 or 24 of this Act a secured periodical payments order, an order for the payment of a lump sum or a property adjustment order, then, on making that order or at any time thereafter, the court may make a further order for the sale of such property as may be specified in the order, being property in which or in the proceeds of sale of which either or both of the parties to the marriage has or have a beneficial interest, either in possession or reversion.
- (2) Any order made under subsection (1) above may contain such consequential or supplementary provisions as the court thinks fit and, without prejudice to the generality of the foregoing provision, may include—
 - (a) provision requiring the making of a payment out of the proceeds of sale of the property to which the order relates, and
 - (b) provision requiring any such property to be offered for sale to a person, or class of persons, specified in the order.
- (3) Where an order is made under subsection (1) above on or after the grant of a decree of divorce or nullity of marriage, the order shall not take effect unless the decree has been made absolute.

Changes to legislation: There are currently no known outstanding effects for the Matrimonial Homes and Property Act 1981, Section 7. (See end of Document for details)

- (4) Where an order is made under subsection (1) above, the court may direct that the order, or such provision thereof as the court may specify, shall not take effect until the occurrence of an event specified by the court or the expiration of a period so specified.
- (5) Where an order under subsection (1) above contains a provision requiring the proceeds of sale of the property to which the order relates to be used to secure periodical payments to a party to the marriage, the order shall cease to have effect on the death or re-marriage of that person.”

Modifications etc. (not altering text)

- C1** The text of ss. 4(1), 7, 8(2)(3), 10(2), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1973 c. 18

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