



# Married Women's Property Act 1882

1882 CHAPTER 75 45 and 46 Vict

## 17 Questions between husband and wife as to property to be decided in a summary way.

In any question between husband and wife as to the title to or possession of property, either party, . . . <sup>F1</sup>, may apply by summons or otherwise [<sup>F2</sup>in a summary way to the High Court or a county court and the court] may, on such an application (which may be heard in private), make such order with respect to the property as it thinks fit.

In this section “prescribed” means prescribed by rules of court <sup>F5</sup>... <sup>F6</sup>...

### Textual Amendments

- F1** Words repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\), Sch. Pt. III](#)
- F2** Words in s. 17 substituted (N.I.) (31.10.2016) by [Justice Act \(Northern Ireland\) 2015 \(c. 9\), s. 106\(2\), Sch. 1 para. 35](#) (with [Sch. 8 para. 1](#)); [S.R. 2016/387, art. 2\(k\)](#) (with [art. 3](#))
- F3** Words in s. 17 substituted (E.W.) by [Matrimonial and Family Proceedings Act 1984 \(c. 42, SIF 49:3\), ss. 43, 48\(2\)](#)
- F4** Words in s. 17 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 11 para. 3\(a\)](#); [S.I. 2014/954, art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F5** Words in s. 17 omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 11 para. 3\(b\)](#); [S.I. 2014/954, art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F6** Proviso repealed by [Statute Law \(Repeals\) Act 1969 \(c. 52\), Sch. Pt. III](#)

### Modifications etc. (not altering text)

- C1** S. 17 extended with modifications by [S.I. 1977/344, rule 106](#) (as substituted by [S.I. 1986/634, rule 21](#))
- C2** S. 17 extended by [Matrimonial Causes \(Property and Maintenance\) Act 1958 \(c. 35\), s. 7](#); applied by [Law Reform \(Miscellaneous Provisions\) Act 1970 \(c. 33\), s. 2\(2\)](#); amended by [Matrimonial Proceedings and Property Act 1970 \(c. 45\), s. 39](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Married Women's Property Act 1882, Section 17.