



Matrimonial and Family Proceedings Act 1984

CHAPTER 42

MATRIMONIAL AND FAMILY PROCEEDINGS ACT 1984

PART I

TIME RESTRICTIONS ON PRESENTATION OF PETITIONS FOR DIVORCE OR NULLITY OF MARRIAGE

- 1 Bar on petitions for divorce within one year of marriage.
- 2 Extension of period for proceedings for decree of nullity in respect of voidable marriage.

PART II

FINANCIAL RELIEF IN MATRIMONIAL PROCEEDINGS

Provisions relating to powers of the High Court and county courts

- 3 Orders for financial relief after divorce etc.
- 4 Orders for financial relief in case of neglect to maintain.
- 5 Duration of orders for periodical payments and effect of remarriage.
- 6 Variation and discharge of orders for periodical payments.
- 7 Consent orders for financial provision or property adjustment.
- 8 Restrictions imposed in divorce proceedings etc., on applications under Inheritance (Provision for Family and Dependents) Act 1975.

Provisions relating to the powers of magistrates' courts

- 9 Orders for financial relief made by magistrates' courts in matrimonial proceedings.
- 10 Orders for payments which have been agreed by the parties.

Status: Point in time view as at 01/03/2002.

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- 11 Variation of consent orders by magistrates' courts.

PART III

FINANCIAL RELIEF IN ENGLAND AND WALES AFTER OVERSEAS DIVORCE ETC.

Applications for financial relief

- 12 Applications for financial relief after overseas divorce etc.
13 Leave of the court required for applications for financial relief.
14 Interim orders for maintenance.
15 Jurisdiction of the court.
16 Duty of the court to consider whether England and Wales is appropriate venue for application.

Orders for financial provision and property adjustment

- 17 Orders for financial provision and property adjustment.
18 Matters to which the court is to have regard in exercising its powers under s. 17.
19 Consent orders for financial provision or property adjustment.
20 Restriction of powers of court where jurisdiction depends on matrimonial home in England or Wales.
21 Application to orders under ss. 14 and 17 of certain provisions of Part II of Matrimonial Causes Act 1973.

Orders for transfer of tenancies

- 22 Powers of court in relation to certain tenancies of dwelling-houses.

Avoidance of transactions intended to prevent or reduce financial relief

- 23 Avoidance of transactions intended to defeat applications for financial relief.
24 Prevention of transactions intended to defeat prospective applications for financial relief.

Financial provision out of estate of deceased party to marriage

- 25 Extension of powers under Inheritance (Provision for Family and Dependents) Act 1975 in respect of former spouses.

Recovery of maintenance in magistrates' courts after overseas divorce etc.

- 26 Extension of s. 28A of Maintenance Orders (Reciprocal Enforcement) Act 1972.

Interpretation

- 27 Interpretation of Part III.

PART IV

FINANCIAL PROVISION IN SCOTLAND AFTER OVERSEAS DIVORCE ETC.

- 28 Circumstances in which a Scottish court may entertain application for financial provision.
29 Disposal of application in Scotland.

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- 29A Application of Part IV to annulled marriages.
- 30 Interpretation of Part IV.
- 31 Extension of s. 31 of Maintenance Orders (Reciprocal Enforcement) Act 1972.

PART V

FAMILY BUSINESS: DISTRIBUTION AND TRANSFER

Preliminary

- 32 What is family business.

Jurisdiction of county courts in matrimonial causes and matters

- 33 Jurisdiction of county courts in matrimonial causes.
- 34 Jurisdiction of divorce county courts as respects financial relief and protection of children.
- 35 Consideration of agreements or arrangements.
- 36 Assignment of Circuit judges to matrimonial proceedings.

Distribution and transfer of family business and proceedings

- 37 Directions as to distribution and transfer of family business and proceedings.
- 38 Transfer of family proceedings from High Court to county court.
- 39 Transfer of family proceedings to High Court from county court.

Rules of court and fees

- 40 Family proceedings rules.
- 41 Fees in family proceedings.

County court proceedings in principal registry

- 42 County court proceedings in principal registry of Family Division.

Distribution of business: proceedings under s. 17 of Married Women's Property Act 1882

- 43 Distribution of business: proceedings under s. 17 of Married Women's Property Act 1882.

Magistrates' courts' domestic jurisdiction

- 44 Family proceedings in magistrates' courts to include applications to alter maintenance agreements.

PART VI

MISCELLANEOUS AND GENERAL

- 45 Extension of s. 29A of Maintenance Orders (Reciprocal Enforcement) Act 1972.
- 46 Amendments, transitional provisions and repeals.
- 47 Commencement.
- 48 Short title and extent.

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SCHEDULES

SCHEDULE 1 — Minor and Consequential Amendments

Maintenance Orders Act 1950 (c. 37)

- 1 In section 16(2) of the Maintenance Orders Act 1950—
- 2 In section 18 of that Act, after subsection (2), there...

Matrimonial Causes (Property and Maintenance) Act 1958 (c. 35)

- 3 In section 7 of the Matrimonial Causes (Property and Maintenance)...

Maintenance Orders Act 1958 (c. 39)

- 4 In section 3 of the Maintenance Orders Act 1958, after...
- 5 In section 4 of that Act, after subsection (6A) there...

Succession (Scotland) Act 1964 (c. 41)

- 6 In section 33(2) of the Succession (Scotland) Act 1964, at...

Law Reform (Miscellaneous Provisions) (Scotland) Act 1966 (c. 19)

- 7 In section 8(1)(c) of the Law Reform (Miscellaneous Provisions) (Scotland)...

Administration of Justice Act 1970 (c. 31)

- 8 In Schedule 8 to the Administration of Justice Act 1970...

Maintenance Orders (Reciprocal Enforcement) Act 1972 (c. 18)

- 9

Matrimonial Causes Act 1973 (c. 18)

- 10 In section 1(4) of the Matrimonial Causes Act 1973 for...
- 11 In section 24A of that Act there shall be added...
- 12 In section 27 of that Act— (a) in subsection (3A)...
- 13 In section 35 of that Act— (a) in subsection (2)...
- 14
- 15 In section 47(2) of that Act after paragraph (d) there...
- 16 In section 52(1) of that Act, in the definition of...

Domicile and Matrimonial Proceedings Act 1973 (c. 45)

- 17 In section 5(1) of the Domicile and Matrimonial Proceedings Act...
- 18

Children Act 1975 (c. 72)

- 19 In section 100 of the Children Act 1975—

Adoption Act 1976 (c. 36)

- 20 In section 62 of the Adoption Act 1976—

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Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

- 21 In section 1 of the Domestic Proceedings and Magistrates' Courts...
- 22 In section 7(5) of that Act, for the words "subsection...
- 23
- 24 In section 19 of that Act, after subsection (3), there...
- 25 In section 20(8) of that Act, after the word "respondent"...
- 26 In section 29 of that Act, at the end of...
- 27 In Schedule 1 to that Act— (a) in paragraph 2,...

Land Registration (Scotland) Act 1979 (c. 33)

- 28 In section 12(3)(b) of the Land Registration (Scotland) Act 1979...

County Courts Act 1984 (c. 28)

- 29
- 30 In section 41 of that Act there shall be added...
- 31

SCHEDULE 2 — Transitional Provisions

Time restrictions on petitions for divorce

- 1 (1) Where at the coming into force of section 1...

Time restrictions on petitions for nullity

- 2 An application for leave under section 13(4) of the Matrimonial...

Scope of "matrimonial cause" for Part V purposes

- 3 For the purposes of Part V of this Act "matrimonial...

SCHEDULE 3 — Repeals

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