4. Financial remedies on divorce and dissolution

This chapter examines the legal framework which determines the distribution of money and property between spouses or civil partners on divorce or dissolution. The chapter considers the background to the current law before providing an in-depth analysis of the relevant legislative framework under the MCA 1973 and important case law guiding the courts' exercise of discretion, including in respect of pensions and the matrimonial home. The chapter also considers the enforceability of, and weight given to, separation agreements and pre-nuptial agreements.

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