

WESTGATE CHAMBERS



Bullet point notes 'Can case law help us argue that future earning capacity, bonuses and inheritance prospects are relevant for a financial settlement'?

Trina Little

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MCA 1973

S25 (2)MCA 1973: the court shall in particular have regard to the following matters-

(a)the income, earning capacity, property and other financial resources which each of the parties to the marriage has or is likely to have in the foreseeable future, including in the case of earning capacity any increase in that capacity which it would in the opinion of the court be reasonable to expect a party to the marriage to take steps to acquire;

Future Earning Capacity

Waggott v Waggott [2018] 2 FLR 406

Jones v Jones [2011] 3 WLR 582

CR v CR [2008] 1 FLR 323

Bonuses

O'Dwyer v O'Dwyer [2019] 2 FLR 1020

Rossi v Rossi [2007] 1 FLR 790

Hart v Hart [2018] 1 FLR 1283

N v N [2007] 2 FLR 548

Waggott v Waggott [2018] 2 FLR 406

E v L [2021] EWFC 60

H v W [2015] 1 FLR 75

SS v NS (Spousal Maintenance) [2015] 2 FLR 112

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Inheritance prospects

L v L [2008] 1 FLR 142

Michael v Michael [1986] 2 FLR 389

K v K (financial provision: conduct) [1990] 2 FLR 225

H v H (financial provision: capital allowance) [1993] 2 FLR 335

HRH Tessy Princess of Luxembourg v HRH Louis Prince of Luxembourg and another [2018] EWFC 77

C v C (ancillary relief trust fund) [2010] 1 FLR 337

Alireza v Radwan [2018] 1 FLR 1333

WC v HC [2022] EWFC 22

Morgan v Morgan [1977] Fam 122

K v L [2010] EWCA Civ 125

Hardy v Hardy [1981] 2 FLR 321

MT v MT [1992] 1 FLR 362