



# Matrimonial Causes Act 1973

## 1973 CHAPTER 18

### PART I

#### DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

##### *Nullity*

#### **11 Grounds on which a marriage is void.**

A marriage celebrated after 31st July 1971 shall be void on the following grounds only, that is to say—

- (a) that it is not a valid marriage under the provisions of [<sup>F1</sup>the [<sup>F2</sup>Marriage Acts 1949 to 1986]] (that is to say where—
  - (i) the parties are within the prohibited degrees of relationship;
  - (ii) either party is under the age of sixteen; or
  - (iii) the parties have intermarried in disregard of certain requirements as to the formation of marriage);
- (b) that at the time of the marriage either party was already lawfully married;
- (c) that the parties are not respectively male and female;
- (d) in the case of a polygamous marriage entered into outside England and Wales, that either party was at the time of the marriage domiciled in England and Wales.

For the purposes of paragraph (d) of this subsection a marriage [<sup>F3</sup>is not polygamous if] at its inception neither party has any spouse additional to the other.

#### **Textual Amendments**

**F1** Words substituted by virtue of [Marriage Act 1983](#) (c. 32, SIF 49:1), [s. 12\(1\)](#)

**F2** Words substituted by [Marriage \(Prohibited Degrees of Relationship\) Act 1986](#) (c. 16, SIF 49:1), [s. 6\(4\)](#)

**F3** Words in [s. 11](#) substituted (8.1.1996) by [1995 c. 42, ss. 8\(2\), 16\(2\)](#), [Sch. para. 2\(2\)](#) (with [s. 8\(1\)\(3\)](#))

**Status:**

Point in time view as at 08/01/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 11.