



# Matrimonial Causes Act 1973

## 1973 CHAPTER 18

### PART IV

#### MISCELLANEOUS AND SUPPLEMENTAL

#### **47 Matrimonial relief and declarations of validity in respect of polygamous marriages.**

- (1) A court in England and Wales shall not be precluded from granting matrimonial relief or making a declaration concerning the validity of a marriage by reason only that [<sup>F1</sup>either party to the marriage is, or has during the subsistence of the marriage been, married to more than one person].
- (2) In this section “matrimonial relief” means—
- (a) any [<sup>F2</sup>order] under Part I of this Act;
  - (b) a financial provision order under section 27 above;
  - (c) an order under section 35 above altering a maintenance agreement;
  - (d) an order under any provision of this Act which confers a power exercisable in connection with, or in connection with proceedings for, any such <sup>F3</sup>... order as is mentioned in paragraphs (a) to (c) above;
  - [<sup>F4</sup>(dd) an order under Part III of the Matrimonial and Family Proceedings Act 1984;]
  - (e) an order under [<sup>F5</sup>Part I of the <sup>M1</sup>Domestic Proceedings and Magistrates’ Courts Act 1978].
- [<sup>F6</sup>(3) In this section “a declaration concerning the validity of a marriage” means any declaration under Part III of the Family Law Act 1986 involving a determination as to the validity of a marriage]
- [<sup>F7</sup>(4) Provision may be made by rules of court—
- (a) for requiring notice of proceedings brought by virtue of this section to be served on any additional spouse of a party to the marriage in question; and
  - (b) for conferring on any such additional spouse the right to be heard in the proceedings,

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*Changes to legislation: There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 47. (See end of Document for details)*

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in such cases as may be specified in the rules.]

#### **Textual Amendments**

- F1** Words in s. 47(1) substituted (8.1.1996) by 1995 c. 42, ss. 8, 16(2), **Sch. para. 3(a)** (with s. 8(1)(3))
- F2** Word in s. 47(2)(a) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 30(a)** (with s. 8(4)(6)); S.I. 2022/283, reg. 2
- F3** Words in s. 47(2)(d) omitted (6.4.2022) by virtue of Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 30(b)** (with s. 8(4)(6)); S.I. 2022/283, reg. 2
- F4** S. 47(2)(dd) inserted by Matrimonial and Family Proceedings Act 1984 (c. 42, SIF 49:3), ss. 46(1), 48(3), **Sch. 1 para. 15**
- F5** Words substituted by Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22), s. 89(2), **Sch. 2 para. 39**, with saving for an application made before 1.2.1981 under Matrimonial Proceedings (Magistrates' Courts) Act 1960 (c. 48): S.I. 1979/731, **Sch. 2 para. 8**
- F6** S.47(3) substituted by Family Law Act 1986 (c. 55, SIF 49:3), ss. 68(1), 69(5), **Sch. 1 para. 14**
- F7** S. 47(4) substituted (8.1.1996) by 1995 c. 42, ss. 8, 16(2), **Sch. para. 3(b)** (with s. 8(1)(3))

#### **Marginal Citations**

- M1** 1978 c. 22.

**Changes to legislation:**

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 47.