



Family Law Act 1986

1986 CHAPTER 55

PART III

DECLARATIONS OF STATUS

[^{F1}56] Declarations as to parentage, legitimacy or legitimation.

- (1) Any person may apply to [^{F2}the High Court or [^{F3}the family court]] for a declaration—
 - ^{F4}(a)
 - (b) that he is the legitimate child of his parents.
- (2) Any person may apply to [^{F2}the High Court or [^{F5}the family court]] for one (or for one or, in the alternative, the other) of the following declarations, that is to say—
 - (a) a declaration that he has become a legitimated person;
 - (b) a declaration that he has not become a legitimated person.
- (3) A court shall have jurisdiction to entertain an application under this section if, and only if, the applicant—
 - (a) is domiciled in England and Wales on the date of the application; or
 - (b) has been habitually resident in England and Wales throughout the period of one year ending with that date.
- (4) Where a declaration is made [by a court] on an application under subsection (1) above, the prescribed officer of the court shall notify the Registrar General, in such a manner and within such period as may be prescribed, of the making of that declaration.
- (5) In this section “legitimated person” means a person legitimated or recognised as legitimated—
 - (a) under section 2 [^{F6}, 2A] or 3 of the Legitimacy Act ^{M1}1976;
 - (b) under section 1 or 8 of the Legitimacy Act ^{M2}1926; or
 - (c) by a legitimation (whether or not by virtue of the subsequent marriage of his parents) recognised by the law of England and Wales and effected under the law of another country.]

Changes to legislation: Family Law Act 1986, Section 56 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** S. 56 substituted by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), [ss. 22, 34\(5\)](#)
- F2** Words in S. 56(1)(2) substituted (1.4.2001) by [2000 c. 19, s. 83](#), [Sch. 8 para. 5\(a\)](#) (with [s. 83\(6\)](#)); S.I. 2001/774, [art. 2\(b\)\(c\)](#)
- F3** Words in [s. 56\(1\)](#) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), [s. 61\(3\)](#), [Sch. 11 para. 98\(2\)](#); S.I. 2014/954, [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F4** S. 56(1)(a) repealed (1.4.2001) by [2000 c. 19, s. 85](#), [Sch. 9 Pt. IX](#) (with [s. 83\(6\)](#)); S.I. 2001/774, [art. 2\(d\)](#)
- F5** Words in [s. 56\(2\)](#) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), [s. 61\(3\)](#), [Sch. 11 para. 98\(3\)](#); S.I. 2014/954, [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** Word in [s. 56\(5\)\(a\)](#) inserted (6.4.2009 for specified purposes, 1.9.2009 in so far as not already in force) by [Human Fertilisation and Embryology Act 2008 \(c. 22\)](#), [s. 68\(2\)](#), [Sch. 6 para. 23](#); S.I. 2009/479, [art. 6\(1\)\(e\)\(2\)](#) (with [art. 7](#), [Sch.](#))

Modifications etc. (not altering text)

- C1** Words in S. 56(4) inserted (1.4.2001) by [2000 c. 19, s. 83](#), [Sch. 8 para. 5\(b\)](#) (with [s. 83\(6\)](#)); S.I. 2001/774, [art. 2\(b\)\(c\)](#)

Marginal Citations

- M1** [1976 c.31\(49:7\)](#).
- M2** [1926 c.60\(49:7\)](#).

Changes to legislation:

Family Law Act 1986, Section 56 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1)(ca)-(cc) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 7](#)
- s. 2A(1)(1A) substituted for s. 2(1) by [1996 c. 27 Sch. 8 para. 37\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 Pt. I repealed (except for paras. 4, 16(1)(5)(a)(6)(b)(7)) (13.5.2014) by Children and Families Act 2014 (c. 6), ss. 18(2)(e), 139(4))
- s. 19(1A)-(1C) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 8](#)
- s. 29A inserted by [2020 asp 16 s. 29\(2\)](#)
- s. 38(4) inserted by [1996 c. 27 Sch. 8 para. 37\(9\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 Pt. I repealed (except for paras. 4, 16(1)(5)(a)(6)(b)(7)) (13.5.2014) by Children and Families Act 2014 (c. 6), ss. 18(2)(e), 139(4))