
STATUTORY INSTRUMENTS

1984 No. 1984

The Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984

PART III

MARRIAGE

Consequences of termination of engagement to marry

Engagements to marry not enforceable at law

15.—(1) An agreement between two persons to marry one another shall not have effect as a contract giving rise to legal rights and no action shall lie for breach of such an agreement whatever the law applicable to the agreement.

(2) This Article shall have effect in relation to agreements entered into before the commencement of this Article, except that it shall not affect any action begun before that commencement.

Property of engaged couples

16.—(1) Where an agreement to marry is terminated, any rule of law relating to the rights of husbands and wives in relation to property in which either or both has or have a beneficial interest shall apply in relation to any property in which either or both of the parties to the agreement had a beneficial interest while the agreement was in force, as it applies in relation to property in which a husband and wife has a beneficial interest.

(2) Where an agreement to marry is terminated, section 17 of the Married Women's Property Act 1882 and section 3 of the Law Reform (Husband and Wife) Act (Northern Ireland) 1964 (power of judge of the High Court or a county court to settle disputes between husband and wife about property) shall apply, as if the parties were married, to any dispute between them, or to any claim by one of them in relation to property in which either or both had a beneficial interest while the agreement was in force; but an application made by virtue of this Article to the judge under the said section 17, as originally enacted or as extended by the said section 3, shall be made within three years of the termination of the agreement.

Gifts between engaged couples

17.—(1) A party to an agreement to marry who make a gift of property to the other party to the agreement on the condition (express or implied) that it shall be returned if the agreement is terminated shall not be prevented from recovering the property by reason only of his having terminated the agreement.

(2) The gift of an engagement ring shall be presumed to be an absolute gift; this presumption may be rebutted by proving that the ring was given on the condition, express or implied, that it should be returned if the marriage did not take place for any reason.

Changes to legislation:

There are currently no known outstanding effects for the The Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984, Cross Heading: Consequences of termination of engagement to marry.