
STATUTORY INSTRUMENTS

1995 No. 3211

The Polygamous Marriages (Northern Ireland) Order 1995

Application of Article 3 to prior marriages

4.—(1) Article 3 shall be deemed to apply, and always to have applied, to any marriage entered into before commencement which is not excluded by paragraph (2) or (3).

(2) That Article does not apply to a marriage a party to which has (before commencement) entered into a later marriage which either—

(a) is valid apart from this Article but would be void if Article 3 applied to the earlier marriage;
or

(b) is valid by virtue of this Article.

(3) That Article does not apply to a marriage which has been annulled before commencement, whether by a decree granted in Northern Ireland or by an annulment obtained elsewhere and recognised in Northern Ireland at commencement.

(4) An annulment of a marriage resulting from legal proceedings begun before commencement shall be treated for the purposes of paragraph (3) as having taken effect before that time.

(5) For the purposes of paragraphs (3) and (4) a marriage which has been declared to be invalid by a court of competent jurisdiction in any proceedings concerning either the validity of the marriage or any right dependent on its validity shall be treated as having been annulled.

(6) Nothing in Article 3, in its application to marriages entered into before commencement—

(a) gives or affects any entitlement to an interest—

(i) under the will of, or on the intestacy of, a person who died before commencement; or

(ii) under a settlement or other disposition of property made before that time (otherwise than by will);

(b) gives or affects any entitlement to a benefit, allowance, pension or other payment—

(i) payable before, or in respect of a period before, commencement; or

(ii) payable in respect of the death of a person before that time;

(c) affects tax in respect of a period or event before commencement; or

(d) affects the succession to any dignity or title of honour.

(7) In this Article “commencement” means the coming into operation of this Order.