



Law Reform (Miscellaneous Provisions) Act 1970

1970 CHAPTER 33

Legal consequences of termination of contract to marry

1 Engagements to marry not enforceable at law.

- (1) An agreement between two persons to marry one another shall not under the law of England and Wales have effect as a contract giving rise to legal rights and no action shall lie in England and Wales for breach of such an agreement, whatever the law applicable to the agreement.
- (2) This section shall have effect in relation to agreements entered into before it comes into force, except that it shall not affect any action commenced before it comes into force.

2 Property of engaged couples.

- (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, including any such rule as explained by section 37 of the ^{M1}Matrimonial Proceedings and Property Act 1970, 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 or wife has a beneficial interest.
- (2) Where an agreement to marry is terminated, section 17 of the ^{M2}Married Women's Property Act 1882 and section 7 of the ^{M3}Matrimonial Causes (Property and Maintenance) Act 1958 (which sections confer power on a judge of the High Court or [^{F1}the family court] to settle disputes between husband and wife about property) shall apply, as if the parties were married, to any dispute between, or 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agreement was in force; but an application made by virtue of this section to the judge under the said section 17, as originally enacted or as extended by the said section 7, shall be made within three years of the termination of the agreement.

Changes to legislation: There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) Act 1970, Cross Heading: Legal consequences of termination of contract to marry. (See end of Document for details)

Textual Amendments

- F1** Words in s. 2(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 27](#); [S.I. 2014/954](#), [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Marginal Citations

- M1** [1970 c. 45](#).
M2 [1882 c. 75](#).
M3 [1958 c. 35](#).

3 Gifts between engaged couples.

- (1) A party to an agreement to marry who makes 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.

4 **F2**

Textual Amendments

- F2** [S. 4](#) repealed by [Matrimonial Causes Act 1973 \(c. 18\)](#), s. 54(1), [Sch. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) Act 1970, Cross Heading: Legal consequences of termination of contract to marry.