



Matrimonial Proceedings (Polygamous Marriages) Act 1972

1972 CHAPTER 38

An Act to enable matrimonial relief to be granted, and declarations concerning the validity of a marriage to be made, notwithstanding that the marriage in question was entered into under a law which permits polygamy, and to make a consequential amendment in the Nullity of Marriage Act 1971. [29th June 1972]

Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

1 F1

Textual Amendments

F1 [Ss. 1, 4](#) repealed by [Matrimonial Causes Act 1973 \(c. 18\), s. 54\(1\), Sch. 3](#)

2 **Matrimonial relief and declarations as to validity in respect of polygamous marriages: Scotland.**

(1) A court in Scotland shall not be precluded from entertaining proceedings for, or granting, any such decree as is mentioned in subsection (2) below by reason only that [^{F2}either party to the marriage is, or has during the subsistence of the marriage been, married to more than one person].

(2) The decrees referred to in subsection (1) above are—

- (a) a decree of divorce;
- (b) a decree of nullity of marriage;
- (c) F3

[^{F4}(d) a decree of separation;

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Changes to legislation: There are currently no known outstanding effects for the Matrimonial Proceedings (Polygamous Marriages) Act 1972. (See end of Document for details)

- (e) a decree of aliment;]
 - (f) a decree of declarator that a marriage is valid or invalid;
 - (g) any other decree involving a determination as to the validity of a marriage;
- and the reference in subsection (1) above to granting such a decree as aforesaid includes a reference to making any ancillary [^{F5}or incidental]order which the court has power to make in proceedings for such a decree.

[^{F6}(3) 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,

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

Textual Amendments

- F2 Words in s. 2(1) substituted (8.1.1996) by 1995 c. 42, ss. 8, 16(2), **Sch. para. 1(2)** (with s. 8(1)(3))
- F3 S. 2(2)(c) repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt. I**
- F4 S. 2(2)(d) and (e) substituted by virtue of Family Law (Scotland) Act 1985 (c. 37, SIF 49:3), ss. 28(1), 29, **Sch. 1 para. 8(a)**
- F5 Words inserted by Family Law (Scotland) Act 1985 (c. 37, SIF 49:3), ss. 28(1), 29, **Sch. 1 para. 8(b)**
- F6 S. 2(3) substituted (8.1.1996) by 1995 c. 42, ss. 8, 16(2), **Sch. para. 1(3)** (with s. 8(1)(3))

3 ^{F7}

Textual Amendments

- F7 S. 3 repealed by S.I. 1989/677 (N.I.4), art. 42(2), **Sch. 3**

4 ^{F8}

Textual Amendments

- F8 Ss. 1, 4 repealed by Matrimonial Causes Act 1973 (c. 18), s. 54(1), **Sch. 3**

5 Short title, interpretation and powers of Parliament of Northern Ireland.

- (1) This Act may be cited as the Matrimonial Proceedings (Polygamous Marriages) Act 1972.
- (2) References in this Act to any enactment shall be construed as references to that enactment as amended, and as including references thereto as extended or applied, by any subsequent enactment.

(3) ^{F9}

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Textual Amendments

F9 S. 5(3) repealed by S.I. 1978/1045 (N.I.15), **Sch. 5**

Status:

Point in time view as at 08/01/1996.

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial Proceedings (Polygamous Marriages) Act 1972.