



# 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]

### Annotations:

#### Modifications etc. (not altering text)

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

1 ..... F1

### Annotations:

#### Amendments (Textual)

F1 [Ss. 1, 4](#) repealed by [Matrimonial Causes Act 1973 \(c. 18\), s. 54\(1\), Sch. 3](#)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 [<sup>F2</sup>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;

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

- (c) ..... <sup>F3</sup>
  - [<sup>F4</sup>(d) a decree of separation;
  - (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 [<sup>F5</sup>or incidental]order which the court has power to make in proceedings for such a decree.

- [<sup>F6</sup>(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.]

**Annotations:**

---

**Amendments (Textual)**

**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**F3** S. 2(2)(c) repealed by Statute Law (Repeals) Act 1986 (c. 12), s. 1(1), **Sch. 1 Pt.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 ..... <sup>F7</sup>

**Annotations:**

---

**Amendments (Textual)**

**F7** S. 3 repealed by S.I. 1989/677 (N.I.4), art. 42(2), **Sch. 3**

4 ..... <sup>F8</sup>

**Annotations:**

---

**Amendments (Textual)**

**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.

---

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

---

- (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**

**Annotations:**

---

**Amendments (Textual)**

**F9** S. 5(3) repealed by S.I. 1978/1045 (N.I.15), **Sch. 5**

**Changes to legislation:**

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