



Matrimonial Causes Act 1973

1973 CHAPTER 18

PART I

DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

Divorce

9 Proceedings [^{F1}before divorce order has been made final]: general powers of court.

- (1) Where a [^{F2}divorce order has been made but not made final], then, without prejudice to section 8 above, any person (excluding a party to the proceedings other than the Queen's Proctor) may show cause why the [^{F3}order should not be made final] by reason of material facts not having been brought before the court; and in such a case the court may—
- (a) notwithstanding anything in [^{F4}section 1(4)] above (but subject to [^{F5}section] 10(2) to (4) ^{F6}... below) make the [^{F4}order final]; or
 - (b) rescind the [^{F7}order]; or
 - (c) require further inquiry; or
 - (d) otherwise deal with the case as it thinks fit.
- (2) [^{F8}Where a divorce order has been made on an application by one party to a marriage and that party has not applied for the order to be made final,] then, at any time after the expiration of three months from the earliest date on which that party could have made such an application, [^{F9}the other party to the marriage] may make an application to the court, and on that application the court may exercise any of the powers mentioned in paragraphs (a) to (d) of subsection (1) above.

Textual Amendments

- F1** Words in s. 9 heading substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), [Sch. para. 9\(a\)](#) (with s. 8(4)); S.I. 2022/283, reg. 2

Changes to legislation: There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 9. (See end of Document for details)

- F2** Words in s. 9(1) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 9(b)(i)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F3** Words in s. 9(1) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 9(b)(ii)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F4** Words in s. 9(1)(a) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 9(c)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F5** Word in s. 9(1)(a) substituted (22.4.2014) by Children and Families Act 2014 (c. 6), **ss. 17(3)(a)**, 139(6); S.I. 2014/793, art. 2 (with transitional provisions in S.I. 2014/1042, arts. 5, 11)
- F6** Words in s. 9(1)(a) omitted (22.4.2014) by virtue of Children and Families Act 2014 (c. 6), **ss. 17(3)(b)**, 139(6); S.I. 2014/793, art. 2 (with transitional provisions in S.I. 2014/1042, arts. 5, 11)
- F7** Word in s. 9(1)(b) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 9(d)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F8** Words in s. 9(2) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 9(e)(i)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F9** Words in s. 9(2) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 9(e)(ii)** (with s. 8(4)); S.I. 2022/283, reg. 2

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 9.