



Family Law Act 1986

1986 CHAPTER 55

PART II

RECOGNITION OF DIVORCES, ANNULMENTS AND LEGAL SEPARATIONS

Overseas divorces, annulments and legal separations

45 Recognition in the United Kingdom of overseas divorces, annulments and legal separations.

[^{F1}(1) Subject to ^{F2}...] sections 51 and 52 of this Act, the validity of a divorce, annulment or legal separation obtained in a country outside the British Islands (in this Part referred to as an overseas divorce, annulment or legal separation) shall be recognised in the United Kingdom if, and only if, it is entitled to recognition—

- (a) by virtue of sections 46 to 49 of this Act, or
- (b) by virtue of any enactment other than this Part.

^{F3}(2)

Textual Amendments

- F1** S. 45: words “(1) Subject to subsection (2) of this section” substituted for “Subject” (1.3.2001 for E.W.S. and 30.3.2001 for N.I.) by virtue of S.I. 2001/310, **reg. 9(a)**; S.S.I. 2001/36, **reg. 4(5)(a)(b)**; S.I. 2001/660, **reg. 8(a)**
- F2** Words in s. 45(1) omitted (S.) (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), **reg. 1, sch. 1 para. 2(7)(a)** (with **reg. 6**) (as amended by S.S.I. 2020/441, **regs. 1(2)(a), 16**); 2020 c. 1, **Sch. 5 para. 1(1)**; and (E.W.N.I.) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), **reg. 1(1), Sch. para. 15(7)(a)** (with **reg. 8**) (as amended by S.I. 2020/1574, **regs. 1, 5(2)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F3** S. 45(2) omitted (S.) (31.12.2020) by virtue of The Jurisdiction and Judgments (Family, Civil Partnership and Marriage (Same Sex Couples)) (EU Exit) (Scotland) (Amendment etc.) Regulations 2019 (S.S.I. 2019/104), **reg. 1, sch. 1 para. 2(7)(b)** (with **reg. 6**) (as amended by S.S.I. 2020/441, **regs.**

Changes to legislation: Family Law Act 1986, Section 45 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

1(2)(a), 16); 2020 c. 1, Sch. 5 para. 1(1); and (E.W.N.I.) by virtue of The Jurisdiction and Judgments (Family) (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/519), reg. 1(1), **Sch. para. 15(7)(b)** (with reg. 8) (as amended by S.I. 2020/1574, regs. 1, 5(2)); 2020 c. 1, Sch. 5 para. 1(1)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1)(ca)-(cc) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 7](#)
- s. 2A(1)(1A) substituted for s. 2(1) by [1996 c. 27 Sch. 8 para. 37\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 Pt. I repealed (except for paras. 4, 16(1)(5)(a)(6)(b)(7)) (13.5.2014) by Children and Families Act 2014 (c. 6), ss. 18(2)(e), 139(4))
- s. 19(1A)-(1C) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 8](#)
- s. 29A inserted by [2020 asp 16 s. 29\(2\)](#)
- s. 38(4) inserted by [1996 c. 27 Sch. 8 para. 37\(9\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 8 Pt. I repealed (except for paras. 4, 16(1)(5)(a)(6)(b)(7)) (13.5.2014) by Children and Families Act 2014 (c. 6), ss. 18(2)(e), 139(4))