



Wills Act 1837

1837 CHAPTER 26 7 Will 4 and 1 Vict

[^{F1}18A Effect of dissolution or annulment of marriage on wills.

(1) Where, after a testator has made a will, ^{F2}... a court [^{F3} of civil jurisdiction in England and Wales] dissolves or annuls his marriage [^{F4} or his marriage is dissolved or annulled and the divorce or annulment is entitled to recognition in England and Wales by virtue of Part II of the ^{M1} Family Law Act 1986],—

[^{F5}(a) provisions of the will appointing executors or trustees or conferring a power of appointment, if they appoint or confer the power on the former spouse, shall take effect as if the former spouse had died on the date on which the marriage is dissolved or annulled, and

(b) any property which, or an interest in which, is devised or bequeathed to the former spouse shall pass as if the former spouse had died on that date,]

except in so far as a contrary intention appears by the will.

(2) Subsection (1)(b) above is without prejudice to any right of the former spouse to apply for financial provision under the ^{M2} Inheritance (Provision for Family and Dependants) Act 1975.

^{F6}(3)]

Textual Amendments

- F1** S. 18A inserted by [Administration of Justice Act 1982 \(c. 53, SIF 116:5\)](#), **ss. 18(2)**, 73(6)
- F2** Words in s. 18A(1) omitted (6.4.2022) by virtue of [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 43**; S.I. 2022/283, reg. 2
- F3** Words inserted (E.W.) by [Family Law Act 1986 \(c. 55, SIF 49:3\)](#), **s. 53**
- F4** Words in s. 18A substituted (E.W.) by [Family Law Act 1986 \(c. 55, SIF 49:3\)](#), **s. 53**
- F5** S. 18A(1)(a)(b) substituted (8.11.1995 with effect as respects a will made by a person dying on or after 1.1.1996) by [1995 c. 41, s. 3\(1\)\(2\)](#)
- F6** S. 18A(3) repealed (8.11.1995 with effect as specified in the note to the Schedule of the amending Act) by [1995 c. 41, s. 5, Sch.](#)

Marginal Citations

- M1** [1986 c. 55 \(49:3\)](#).

Changes to legislation: There are currently no known outstanding effects
for the Wills Act 1837, Section 1&A. (See end of Document for details)

M2 1975 c. 63 (116:1).

Changes to legislation:

There are currently no known outstanding effects for the Wills Act 1837, Section 18A.