



Matrimonial Causes Act 1973

1973 CHAPTER 18

PART I

DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

Nullity

11 Grounds on which a marriage is void.

A marriage celebrated after 31st July 1971^[F1], other than a marriage to which section 12A applies,] shall be void on the following grounds only, that is to say—

- (a) that it is not a valid marriage under the provisions of ^[F2]the ^[F3]Marriage Acts 1949 to 1986]] (that is to say where—
 - (i) the parties are within the prohibited degrees of relationship;
 - (ii) either party is under the age of ^[F4]eighteen]; or
 - (iii) the parties have intermarried in disregard of certain requirements as to the formation of marriage);
- (b) that at the time of the marriage either party was already lawfully married ^[F5]or a civil partner];
- ^{F6}(c)
- (d) in the case of a polygamous marriage entered into outside England and Wales, that either party was at the time of the marriage domiciled in England and Wales.

For the purposes of paragraph (d) of this subsection a marriage ^[F7]is not polygamous if] at its inception neither party has any spouse additional to the other.

Textual Amendments

- F1** Words in s. 11 inserted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 6(2)**
- F2** Words substituted by virtue of Marriage Act 1983 (c. 32, SIF 49:1), **s. 12(1)**

Changes to legislation: There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 11. (See end of Document for details)

- F3** Words substituted by Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16, SIF 49:1), **s. 6(4)**
- F4** Word in s. 11(a)(ii) substituted (27.2.2023) by Marriage and Civil Partnership (Minimum Age) Act 2022 (c. 28), s. 7(1), **Sch. para. 3** (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)
- F5** Words in s. 11(b) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 261(1), 263, **Sch. 27 para. 40**; S.I. 2005/3175, **art. 2(2)** (subject to art. 2(3)-(5))
- F6** S. 11(c) omitted (13.3.2014) by virtue of Marriage (Same Sex Couples) Act 2013 (c. 30), s. 21(3), **Sch. 7 para. 27**; S.I. 2014/93, art. 3(k)(ii)
- F7** Words in s. 11 substituted (8.1.1996) by 1995 c. 42, ss. 8(2), 16(2), **Sch. para. 2(2)** (with s. 8(1)(3))

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 11.