



# Divorce, Dissolution and Separation Act 2020

## CHAPTER 11

### DIVORCE, DISSOLUTION AND SEPARATION ACT 2020

#### *Divorce and judicial separation*

- 1 Divorce: removal of requirement to establish facts etc
- 2 Judicial separation: removal of factual grounds

#### *Civil partnership: dissolution and separation*

- 3 Dissolution: removal of requirement to establish facts
- 4 Dissolution orders: time limits
- 5 Separation: removal of factual grounds

#### *General*

- 6 Minor and consequential amendments
- 7 Extent
- 8 Commencement and transitional provision
- 9 Short title

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#### SCHEDULE — Minor and consequential amendments

##### PART 1 — AMENDMENTS TO THE MATRIMONIAL CAUSES ACT 1973

- 1 The Matrimonial Causes Act 1973 is amended as follows.
- 2 Omit section 2 (supplemental provisions as to facts raising presumption...)
- 3 In section 3 (bar on petitions for divorce within one...)
- 4 Omit section 4 (divorce not precluded by previous judicial separation)....

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- 5 Omit section 5 (refusal of decree in five year separation...  
6 In section 6 (attempts at reconciliation of parties to marriage)—...  
7 In section 7 (consideration by the court of certain agreements...  
8 In section 8 (intervention of Queen’s Proctor)—  
9 In section 9 (proceedings after decree nisi: general powers of...  
10 In section 10 (proceedings after decree nisi: special protection for...  
11 In section 10A (proceedings after decree nisi: religious marriage)—  
12 After section 12A insert— The period before nullity of marriage...  
13 (1) Section 13 (bars to relief where marriage is voidable)...  
14 For section 15 (application of sections 1(5), 8 and 9...  
15 (1) Section 16 (effect of decree of nullity in case...  
16 In section 18 (effects of judicial separation)—  
17 Omit section 20 (relief for respondent in divorce proceedings) and...  
18 In section 21 (financial provision and property adjustment orders)—  
19 In section 22 (maintenance pending suit), in subsection (1)—  
20 (1) Section 23 (financial provision orders in connection with divorce...  
21 (1) Section 24 (property adjustment orders in connection with divorce...  
22 (1) Section 24A (orders for sale of property) is amended...  
23 (1) Section 24B (pension sharing orders in connection with divorce...  
24 (1) Section 24E (pension compensation sharing orders in connection  
with...  
25 (1) Section 25A (exercise of court’s powers in favour of...  
26 In section 26 (commencement of proceedings for ancillary relief etc)  
—...  
27 (1) Section 28 (duration of continuing financial provision orders in...  
28 In section 30 (direction for settlement of instrument for securing...  
29 (1) Section 31 (variation, discharge etc of certain orders for...  
30 In section 47 (matrimonial relief and declarations of validity in...  
31 (1) Section 49 (parties to proceedings under this Act) is...  
32 After section 52 insert— Interpretation of certain references to divorce...  
33 In Schedule 1 (transitional provisions and savings)—  
PART 2 — AMENDMENTS TO THE CIVIL PARTNERSHIP ACT 2004  
34 The Civil Partnership Act 2004 is amended as follows.  
35 In section 40 (proceedings before order has been made final),...  
36 In section 41 (time bar on applications for dissolution orders),...  
37 In section 42 (attempts at reconciliation of civil partners), in...  
38 Omit section 45 (supplemental provisions as to facts raising  
presumption...  
39 Omit section 46 (dissolution order not precluded by previous  
separation...  
40 Omit section 47 (refusal of dissolution in 5 year separation...  
41 In section 48 (proceedings before order made final: protection for...  
42 Omit section 62 (relief for respondent in dissolution proceedings).  
PART 3 — AMENDMENTS TO OTHER ACTS  
43 In section 18A of the Wills Act 1837 (effect of...  
44 (1) The Inheritance (Provision for Family and Dependants) Act 1975...  
45 In the Legitimacy Act 1976, in section 10 (interpretation), in...  
46 In section 18 of the Senior Courts Act 1981 (restrictions...  
47 In the Civil Jurisdiction and Judgments Act 1982, in section...  
48 (1) The Matrimonial and Family Proceedings Act 1984 is amended...  
49 In the Finance Act 1985, in section 83 (transfers in...  
50 In the Agricultural Holdings Act 1986, in Schedule 6 (eligibility...  
51 (1) The Family Law Act 1986 is amended as follows....

- 52 In the Children Act 1989, in section 6 (guardians: revocation...
- 53 In section 225B of the Taxation of Chargeable Gains Act...
- 54 (1) Schedule 7 to the Family Law Act 1996 (transfer...
- 55 In the Finance Act 2003, in Schedule 3 (stamp duty...
- 56 In section 5 of the Gender Recognition Act 2004 (issue...
- 57 (1) Section 55D of the Income Tax Act 2007 (procedure...
- 58 In Schedule 1 to the Land and Buildings Transaction Tax...
- 59 (1) In Schedule 3 to the Land Transaction Tax and...
- 60 In the Wills and Administration Proceedings (Northern Ireland) Order  
1994...