



# Matrimonial Proceedings and Property Act 1970

## 1970 CHAPTER 45

### PART I

#### PROVISIONS WITH RESPECT TO ANCILLARY AND OTHER RELIEF IN MATRIMONIAL CAUSES AND TO CERTAIN OTHER MATRIMONIAL PROCEEDINGS

*Transitional provisions, savings, etc.*

#### **28 Transitional provisions and savings**

Schedule 1 to this Act shall have effect for the purpose of the transition to the provisions of this Part of this Act from the law in force before the commencement of this Act and with respect to the application of certain provisions of this Part of this Act to orders made, or deemed to have been made, under the Matrimonial Causes Act 1965.

#### **29 Validation of certain void or voidable decrees**

Any decree of divorce, nullity of marriage or judicial separation which, apart from this section, would be void or voidable on the ground only that the provisions of section 33 of the Matrimonial Causes Act 1965 (which restricts the making of decrees of dissolution or separation where children are affected) or of section 2 of the Matrimonial Proceedings (Children) Act 1958 (corresponding provision replaced by the said section 33) had not been complied with when the decree was made absolute or granted, as the case may be, shall be deemed always to have been valid unless—

- (a) before the commencement of this Act the court declared the decree to be void ;  
or
- (b) in proceedings for the annulment of the decree pending at the said commencement the court declares the decree to be void.