



# Matrimonial Causes Act 1973

## 1973 CHAPTER 18

### PART I

#### DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

##### *Divorce*

#### **[<sup>F1</sup>10A Proceedings [<sup>F2</sup>before divorce order has been made final]: religious marriage**

- (1) This section applies if a [<sup>F3</sup>divorce order has been made] but not made [<sup>F4</sup>final] and the parties to the marriage concerned—
  - (a) were married in accordance with—
    - (i) the usages of the Jews, or
    - (ii) any other prescribed religious usages; and
  - (b) must co-operate if the marriage is to be dissolved in accordance with those usages.
- (2) On the application of either party, the court may order that a [<sup>F5</sup>divorce order] is not to be made [<sup>F6</sup>final] until a declaration made by both parties that they have taken such steps as are required to dissolve the marriage in accordance with those usages is produced to the court.
- (3) An order under subsection (2)—
  - (a) may be made only if the court is satisfied that in all the circumstances of the case it is just and reasonable to do so; and
  - (b) may be revoked at any time.
- (4) A declaration of a kind mentioned in subsection (2)—
  - (a) must be in a specified form;
  - (b) must, in specified cases, be accompanied by such documents as may be specified; and
  - (c) must, in specified cases, satisfy such other requirements as may be specified.

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*Changes to legislation: There are currently no known outstanding effects for the  
 Matrimonial Causes Act 1973, Section 10A. (See end of Document for details)*

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- (5) The validity of a [<sup>F7</sup>divorce order] made by reference to such a declaration is not to be affected by any inaccuracy in that declaration.
- (6) “Prescribed” means prescribed in an order made by the Lord Chancellor [<sup>F8</sup>after consulting the Lord Chief Justice] and such an order—
- (a) must be made by statutory instrument;
  - (b) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) “Specified” means specified in rules of court.
- [ The Lord Chief Justice may nominate a judicial office holder (as defined in <sup>F9</sup>(8) section 109(4) of the Constitutional Reform Act 2005) to exercise his functions under this section.]]

#### **Textual Amendments**

- F1** S. 10A inserted (24.2.2003) by [Divorce \(Religious Marriages\) Act 2002 \(c. 27\)](#), **ss. 1(1), 2(2)**; S.I. 2003/186, **art. 2**
- F2** Words in s. 10A heading substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 11(a)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F3** Words in s. 10A(1) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 11(b)(i)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F4** Word in s. 10A(1) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 11(b)(ii)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F5** Words in s. 10A(2) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 11(c)(i)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F6** Word in s. 10A(2) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 11(c)(ii)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F7** Words in s. 10A(5) substituted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), s. 8(1)(8), **Sch. para. 11(d)** (with s. 8(4)); S.I. 2022/283, reg. 2
- F8** Words in s. 10A(6) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 76(2)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(e)
- F9** S. 10A(8) inserted (3.4.2006) by [Constitutional Reform Act 2005 \(c. 4\)](#), ss. 15, 148, **Sch. 4 para. 76(3)**; S.I. 2006/1014, **art. 2(a)**, Sch. 1 para. 11(e)

**Changes to legislation:**

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 10A.