



Matrimonial Causes Act 1973

1973 CHAPTER 18

PART IV **E+W**

MISCELLANEOUS AND SUPPLEMENTAL

48 Evidence. **E+W**

- (1) The evidence of a husband or wife shall be admissible in any proceedings to prove that marital intercourse did or did not take place between them during any period.
- (2) In any proceedings for nullity of marriage, evidence on the question of sexual capacity shall be heard in camera unless in any case the [^{F1}court] is satisfied that in the interests of justice any such evidence ought to be heard in open court.

Textual Amendments

- F1** Word in s. 48(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 34](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Changes to legislation:

There are currently no known outstanding effects for the Matrimonial Causes Act 1973, Section 48.