



# Private International Law (Miscellaneous Provisions) Act 1995

## 1995 CHAPTER 42

### PART II

#### VALIDITY OF MARRIAGES UNDER A LAW WHICH PERMITS POLYGAMY

##### **6 Application of section 5 to prior marriages.**

- (1) Section 5 above shall be deemed to apply, and always to have applied, to any marriage entered into before commencement which is not excluded by subsection (2) or (3) below.
- (2) That section does not apply to a marriage a party to which has (before commencement) entered into a later marriage which either—
  - (a) is valid apart from this section but would be void if section 5 above applied to the earlier marriage; or
  - (b) is valid by virtue of this section.
- (3) That section does not apply to a marriage which has been annulled before commencement, whether by a decree granted in England and Wales or by an annulment obtained elsewhere and recognised in England and Wales at commencement.
- (4) An annulment of a marriage resulting from legal proceedings begun before commencement shall be treated for the purposes of subsection (3) above as having taken effect before that time.
- (5) For the purposes of subsections (3) and (4) above a marriage which has been declared to be invalid by a court of competent jurisdiction in any proceedings concerning either the validity of the marriage or any right dependent on its validity shall be treated as having been annulled.
- (6) Nothing in section 5 above, in its application to marriages entered into before commencement—

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**Changes to legislation:** *There are currently no known outstanding effects for the Private International Law (Miscellaneous Provisions) Act 1995, Section 6. (See end of Document for details)*

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- (a) gives or affects any entitlement to an interest—
    - (i) under the will or codicil of, or on the intestacy of, a person who died before commencement; or
    - (ii) under a settlement or other disposition of property made before that time (otherwise than by will or codicil);
  - (b) gives or affects any entitlement to a benefit, allowance, pension or other payment—
    - (i) payable before, or in respect of a period before, commencement; or
    - (ii) payable in respect of the death of a person before that time;
  - (c) affects tax in respect of a period or event before commencement; or
  - (d) affects the succession to any dignity or title of honour.
- (7) In this section “commencement” means the commencement of this Part.

**Changes to legislation:**

There are currently no known outstanding effects for the Private International Law (Miscellaneous Provisions) Act 1995, Section 6.