



# Divorce, Dissolution and Separation Act 2020

## 2020 CHAPTER 11

### *Divorce and judicial separation*

#### **2 Judicial separation: removal of factual grounds**

- (1) Section 17 of the Matrimonial Causes Act 1973 (judicial separation) is amended as follows.
- (2) For subsection (1) substitute—
  - “(1) Either or both parties to a marriage may apply to the court for an order (a “judicial separation order”) which provides for the separation of the parties to the marriage.
  - (1A) An application under subsection (1) must be accompanied by—
    - (a) if the application is by one party to the marriage only, a statement by that person that they seek to be judicially separated from the other party to the marriage, or
    - (b) if the application is by both parties to the marriage, a statement by them that they seek to be judicially separated from one another.
  - (1B) The court dealing with an application under subsection (1) must make a judicial separation order.”
- (3) Omit subsection (2).
- (4) In subsection (3)—
  - (a) for “judicial separation”, in both places, substitute “a judicial separation order”;
  - (b) for “divorce” substitute “a divorce order”.