



Domicile and Matrimonial Proceedings Act 1973

1973 CHAPTER 45

PART V

MISCELLANEOUS AND GENERAL

15 Extension of Recognition Act to Northern Ireland

- (1) The Recognition of Divorces and Legal Separations Act 1971 (as amended by this Act) shall extend to Northern Ireland.
- (2) In section 1 of that Act (recognition of divorces etc. as between territories forming part of the British Isles) the following shall be substituted for paragraphs (a) and (b)—

“if it was granted under the law of any part of the British Isles, be recognised throughout the United Kingdom ; and in each of sections 2, 7 and 8 of that Act for " Great Britain " there shall be substituted " the United Kingdom ””
- (3) In so far as section 1 of that Act operates as part of the law of Northern Ireland, it shall do so only in relation to a decree of divorce or judicial separation granted after the coming into force of this section; and as respects the recognition in Northern Ireland of any such divorce or separation as is referred to in section 10(4) of the Act (transitional provisions) that subsection shall have effect as if any reference in it to the date of the commencement of the provisions of the Act there referred to were a reference to the date of the coming into force of this section.
- (4) This section shall be deemed for the purposes of section 6 of the Government of Ireland Act 1920 to have been passed before the day referred to in that section as the appointed day.

16 Non-judicial divorces

- (1) No proceeding in the United Kingdom, the Channel Islands or the Isle of Man shall be regarded as validly dissolving a marriage unless instituted in the courts of law of one of those countries.
- (2) Notwithstanding anything in section 6 of the Recognition of Divorces and Legal Separations Act 1971 (as substituted by section 2 of this Act), a divorce which—
 - (a) has been obtained elsewhere than in the United Kingdom, the Channel Islands and the Isle of Man; and
 - (b) has been so obtained by means of a proceeding other than a proceeding instituted in a court of law; and
 - (c) is not required by any of the provisions of sections 2 to 5 of that Act to be recognised as valid,shall not be regarded as validly dissolving a marriage if both parties to the marriage have throughout the period of one year immediately preceding the institution of the proceeding been habitually resident in the United Kingdom.
- (3) This section does not affect the validity of any divorce obtained before its coming into force and recognised as valid under rules of law formerly applicable.

17 Citation, etc.

- (1) This Act may be cited as the Domicile and Matrimonial Proceedings Act 1973.
- (2) Subject to sections 6(4), 12(6) and 14(3) of this Act, the enactments specified in Schedule 6 to this Act (including certain enactments of the Parliament of Northern Ireland) are hereby repealed to the extent specified in the third column of that Schedule.
- (3) So long as section 2 of the Southern Rhodesia Act 1965 remains in force, this Act shall have effect subject to such provision as may (before or after this Act comes into force) be made by Order in Council under and for the purposes of that section.
- (4) Part II of this Act extends to England and Wales only; Part III extends to Scotland only; Part IV extends to Northern Ireland only; and this Part extends to the whole of the United Kingdom.
- (5) This Act shall come into force on 1st January 1974.