



Family Law Act 1996

1996 CHAPTER 27

PART II

DIVORCE AND SEPARATION

Interpretation

24 Interpretation of Part II etc

(1) In this Part—

- “the 1973 Act” means the Matrimonial Causes Act 1973;
- “child of the family” and “the court” have the same meaning as in the 1973 Act;
- “divorce order” has the meaning given in section 2(1)(a);
- “divorce proceedings” is to be read with section 20;
- “marital proceedings” has the meaning given in section 20;
- “non-molestation order” has the meaning given by section 42(1);
- “occupation order” has the meaning given by section 39;
- “order preventing divorce” has the meaning given in section 10(2);
- “party”, in relation to a marriage, means one of the parties to the marriage;
- “period for reflection and consideration” has the meaning given in section 7;
- “separation order” has the meaning given in section 2(1)(b);
- “separation proceedings” is to be read with section 20;
- “statement” means a statement of marital breakdown;
- “statement of marital breakdown” has the meaning given in section 6(1).

(2) For the purposes of this Part, references to the withdrawal of an application are references, in relation to an application made jointly by both parties, to its withdrawal by a notice given, in accordance with rules of court—

- (a) jointly by both parties; or

Status: This is the original version (as it was originally enacted).

- (b) separately by each of them.
- (3) Where only one party gives such a notice of withdrawal, in relation to a joint application, the application shall be treated as if it had been made by the other party alone.

25 Connected proceedings

- (1) For the purposes of this Part, proceedings are connected with the breakdown of a marriage if they fall within subsection (2) and, at the time of the proceedings—
 - (a) a statement has been received by the court with respect to the marriage and it is or may become possible for an application for a divorce order or separation order to be made by reference to that statement;
 - (b) such an application in relation to the marriage has been made and not withdrawn; or
 - (c) a divorce order has been made, or a separation order is in force, in relation to the marriage.
- (2) The proceedings are any under Parts I to V of the Children Act 1989 with respect to a child of the family or any proceedings resulting from an application—
 - (a) for, or for the cancellation of, an order preventing divorce in relation to the marriage;
 - (b) by either party to the marriage for an order under Part IV;
 - (c) for the exercise, in relation to a party to the marriage or child of the family, of any of the court's powers under Part II of the 1973 Act;
 - (d) made otherwise to the court with respect to, or in connection with, any proceedings connected with the breakdown of the marriage.