



Matrimonial Causes Act 1973

1973 CHAPTER 18

PART I

DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

Nullity

11 Grounds on which a marriage is void.

A marriage celebrated after 31st July 1971^[F1], other than a marriage to which section 12A applies,] shall be void on the following grounds only, that is to say—

- (a) that it is not a valid marriage under the provisions of ^[F2]the ^[F3]Marriage Acts 1949 to 1986] (that is to say where—
 - (i) the parties are within the prohibited degrees of relationship;
 - (ii) either party is under the age of sixteen; or
 - (iii) the parties have intermarried in disregard of certain requirements as to the formation of marriage;
- (b) that at the time of the marriage either party was already lawfully married ^[F4]or a civil partner];
- ^{F5}(c)
- (d) in the case of a polygamous marriage entered into outside England and Wales, that either party was at the time of the marriage domiciled in England and Wales.

For the purposes of paragraph (d) of this subsection a marriage ^[F6]is not polygamous if] at its inception neither party has any spouse additional to the other.

Textual Amendments

- F1** Words in s. 11 inserted (10.12.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Provisions) Order 2014 (S.I. 2014/3168), art. 1(2)(3), **Sch. para. 6(2)**
- F2** Words substituted by virtue of Marriage Act 1983 (c. 32, SIF 49:1), **s. 12(1)**

Status: Point in time view as at 10/12/2014. This version of this provision has been superseded.

Changes to legislation: Matrimonial Causes Act 1973, Section 11 is up to date with all changes known to be in force on or before 30 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F3** Words substituted by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), **s. 6(4)**
- F4** Words in s. 11(b) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 261(1), 263, **Sch. 27 para. 40**; S.I. 2005/3175, **art. 2(2)** (subject to art. 2(3)-(5))
- F5** S. 11(c) omitted (13.3.2014) by virtue of [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), **Sch. 7 para. 27**; S.I. 2014/93, art. 3(k)(ii)
- F6** Words in s. 11 substituted (8.1.1996) by 1995 c. 42, ss. 8(2), 16(2), **Sch. para. 2(2)** (with s. 8(1)(3))

Status:

Point in time view as at 10/12/2014. This version of this provision has been superseded.

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