



# Matrimonial Causes Act 1973

## 1973 CHAPTER 18

### PART I

#### DIVORCE, NULLITY AND OTHER MATRIMONIAL SUITS

##### *Nullity*

#### 16 Effect of <sup>[F1]</sup>annulment] in case of voidable marriage.

<sup>[F2]</sup>(1) <sup>[F3]</sup>A nullity of marriage order granted] in respect of a voidable marriage shall operate to annul the marriage only as respects any time after the <sup>[F4]</sup>order has been made final,] and the marriage shall, <sup>[F5]</sup>notwithstanding the order,] be treated as if it had existed up to that time.

<sup>[F6]</sup>(2) Subsection (1) has effect in relation to a decree of nullity granted after 31 July 1971 as it has effect in relation to a nullity of marriage order, but with the substitution—

- (a) for “order has been made final,” of “decree has been made absolute,” and
- (b) for “notwithstanding the order,” of “notwithstanding the decree,]

#### Textual Amendments

- F1** Word in s. 16 heading substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 15(2)**; S.I. 2022/283, reg. 2
- F2** S. 16 renumbered as s. 16(1) (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 15(3)**; S.I. 2022/283, reg. 2
- F3** Words in s. 16(1) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 15(4)(a)**; S.I. 2022/283, reg. 2
- F4** Words in s. 16(1) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 15(4)(b)**; S.I. 2022/283, reg. 2
- F5** Words in s. 16(1) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 15(4)(c)**; S.I. 2022/283, reg. 2
- F6** S. 16(2) inserted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 15(5)**; S.I. 2022/283, reg. 2

**Changes to legislation:**

Matrimonial Causes Act 1973, Section 16 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11(a)(iia) inserted by [2024 c. 21 s. 75\(4\)](#)
- s. 25B(2)(c) added by [1996 c. 27 s. 16\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 16 repealed (13.5.2014) without ever being in force by 2014 c. 6, s. 18(1))
- s. 25B(8)(9) added by [1996 c. 27 s. 16\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 16 repealed (13.5.2014) without ever being in force by 2014 c. 6, s. 18(1))