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**Changes to legislation:** *There are currently no known outstanding effects for the Domicile and Matrimonial Proceedings Act 1973, Paragraph 4. (See end of Document for details)*

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## SCHEDULES

### [<sup>F1</sup>SCHEDULE A1

#### JURISDICTION IN RELATION TO MARRIAGE OF SAME SEX COUPLES

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##### **Textual Amendments**

- F1** Sch. A1 inserted (31.10.2013 for specified purposes, 13.3.2014 in so far as not already in force) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), [Sch. 4 para. 8](#); S.I. 2013/2789, art. 2(b); S.I. 2014/93, art. 3(j)(i)

##### *Declaration of validity*

- 4 The court has jurisdiction to entertain an application for a declaration of validity if (and only if)—
- (a) either of the parties to the marriage to which the application relates—
    - (i) is domiciled in England and Wales on the date of the application,
    - (ii) has been habitually resident in England and Wales throughout the period of 1 year ending with that date, or
    - (iii) died before that date and either was at death domiciled in England and Wales or had been habitually resident in England and Wales throughout the period of 1 year ending with the date of death, or
  - (b) the two people concerned married each other under the law of England and Wales and it appears to the court to be in the interests of justice to assume jurisdiction in the case.]

**Changes to legislation:**

There are currently no known outstanding effects for the Domicile and Matrimonial Proceedings Act 1973, Paragraph 4.