



# Domestic Proceedings and Magistrates' Courts Act 1978

## 1978 CHAPTER 22

### PART I

#### MATRIMONIAL PROCEEDINGS IN MAGISTRATES' COURTS

##### *Reconciliation*

#### 26 Reconciliation.

- (1) Where an application is made for an order under section 2 of this Act the court, before deciding whether to exercise its powers under that section, shall consider whether there is any possibility of reconciliation between the parties to the marriage in question; and if at any stage of the proceedings on that application it appears to the court that there is a reasonable possibility of such a reconciliation, the court may adjourn the proceedings for such period as it thinks fit to enable attempts to be made to effect a reconciliation.
- (2) Where the court adjourns any proceedings under subsection (1) above, it may request [<sup>F1</sup>an officer of the Service (within the meaning of the Criminal Justice and Court Services Act 2000)] [<sup>F2</sup>, a Welsh family proceedings officer (within the meaning given by section 35 of the Children Act 2004)] or any other person to attempt to effect a reconciliation between the parties to the marriage, and where any such request is made, [<sup>F3</sup>that officer or] other person shall report in writing to the court whether the attempt has been successful or not, but shall not include in that report any other information.

#### Textual Amendments

**F1** Words in s. 26(2) substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 57(a)**; S.I. 2001/919, **art. 2**

**F2** Words in s. 26(2) inserted (1.4.2005) by **Children Act 2004 (c. 31)**, s. 67(6), **Sch. 3 para. 1**; S.I. 2005/700, **art. 2(2)**

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*Status: Point in time view as at 01/04/2005.*

**Changes to legislation:** Domestic Proceedings and Magistrates' Courts Act 1978, Section 26 is up to date with all changes known to be in force on or before 16 July 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)

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**F3** Words in s. 26(2) substituted (1.4.2001) by 2000 c. 43, s. 74, **Sch. 7 Pt. II para. 57(b)**; S.I. 2001/919, **art. 2**

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