

SCHEDULE

Section 8(2).

CONSEQUENTIAL AND MINOR AMENDMENTS RELATING TO PART II

*Matrimonial Proceedings (Polygamous Marriages) Act 1972 (c. 38)*

- 1 (1) Section 2 of the Matrimonial Proceedings (Polygamous Marriages) Act 1972 (matrimonial relief etc. in relation to polygamous marriages: Scotland) shall be amended as follows.
- (2) In subsection (1), for the words “the marriage” onwards there shall be substituted the words “either party to the marriage is, or has during the subsistence of the marriage been, married to more than one person”.
- (3) For subsection (3) there shall be substituted—
- “(3) Provision may be made by rules of court—
- (a) for requiring notice of proceedings brought by virtue of this section to be served on any additional spouse of a party to the marriage in question; and
- (b) for conferring on any such additional spouse the right to be heard in the proceedings,
- in such cases as may be specified in the rules.”

*Matrimonial Causes Act 1973 (c. 18)*

- 2 (1) The Matrimonial Causes Act 1973 shall be amended as follows.
- (2) In section 11 (grounds on which a marriage is void), for the words “may be polygamous although” there shall be substituted the words “is not polygamous if”.
- (3) In section 47 (matrimonial relief and declarations in respect of polygamous marriage)
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- (a) in subsection (1), for the words “the marriage” onwards there shall be substituted the words “either party to the marriage is, or has during the subsistence of the marriage been, married to more than one person”; and
- (b) for subsection (4) there shall be substituted—
- “(4) Provision may be made by rules of court—
- (a) for requiring notice of proceedings brought by virtue of this section to be served on any additional spouse of a party to the marriage in question; and
- (b) for conferring on any such additional spouse the right to be heard in the proceedings,
- in such cases as may be specified in the rules.”

*Matrimonial Homes Act 1983 (c. 19)*

- 3 In section 10 of the Matrimonial Homes Act 1983 (interpretation), for subsection (2) there shall be substituted—
- “(2) It is hereby declared that this Act applies as between the parties to a marriage notwithstanding that either of them is, or has at any time during the marriage’s subsistence been, married to more than one person.”

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*Status: This is the original version (as it was originally enacted).*

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*Social Security Contributions and Benefits Act 1992 (c. 4)*

- 4 (1) The Social Security Contributions and Benefits Act 1992 shall be amended as follows.
- (2) In section 121(1)(b) (regulations as to application of provisions of Parts I to VI to polygamous marriages), for the words following “section” there shall be substituted the words “applies, a marriage during the subsistence of which a party to it is at any time married to more than one person is to be treated as having, or as not having, the same consequences as any other marriage.”
- (3) In section 147(5) (regulations as to application of provisions of Part IX to polygamous marriages), for the words following “in which” there shall be substituted the words “a marriage during the subsistence of which a party to it is at any time married to more than one person is to be treated for the purposes of this Part of this Act as having, or not having, the same consequences as any other marriage.”