



Family Law Act 1996

1996 CHAPTER 27

PART II

DIVORCE AND SEPARATION

Reflection and consideration

7 Period for reflection and consideration

- (1) Where a statement has been made, a period for the parties—
 - (a) to reflect on whether the marriage can be saved and to have an opportunity to effect a reconciliation, and
 - (b) to consider what arrangements should be made for the future,must pass before an application for a divorce order or for a separation order may be made by reference to that statement.
- (2) That period is to be known as the period for reflection and consideration.
- (3) The period for reflection and consideration is nine months beginning with the fourteenth day after the day on which the statement is received by the court.
- (4) Where—
 - (a) the statement has been made by one party,
 - (b) rules made under section 12 require the court to serve a copy of the statement on the other party, and
 - (c) failure to comply with the rules causes inordinate delay in service,the court may, on the application of that other party, extend the period for reflection and consideration.
- (5) An extension under subsection (4) may be for any period not exceeding the time between—
 - (a) the beginning of the period for reflection and consideration; and
 - (b) the time when service is effected.

Status: This is the original version (as it was originally enacted).

- (6) A statement which is made before the first anniversary of the marriage to which it relates is ineffective for the purposes of any application for a divorce order.
- (7) Subsection (8) applies if, at any time during the period for reflection and consideration, the parties jointly give notice to the court that they are attempting a reconciliation but require additional time.
- (8) The period for reflection and consideration—
- (a) stops running on the day on which the notice is received by the court; but
 - (b) resumes running on the day on which either of the parties gives notice to the court that the attempted reconciliation has been unsuccessful.
- (9) If the period for reflection and consideration is interrupted under subsection (8) by a continuous period of more than 18 months, any application by either of the parties for a divorce order or for a separation order must be by reference to a new statement received by the court at any time after the end of the 18 months.
- (10) Where an application for a divorce order is made by one party, subsection (13) applies if—
- (a) the other party applies to the court, within the prescribed period, for time for further reflection; and
 - (b) the requirements of section 9 (except any imposed under section 9(3)) are satisfied.
- (11) Where any application for a divorce order is made, subsection (13) also applies if there is a child of the family who is under the age of sixteen when the application is made.
- (12) Subsection (13) does not apply if—
- (a) at the time when the application for a divorce order is made, there is an occupation order or a non-molestation order in force in favour of the applicant, or of a child of the family, made against the other party; or
 - (b) the court is satisfied that delaying the making of a divorce order would be significantly detrimental to the welfare of any child of the family.
- (13) If this subsection applies, the period for reflection and consideration is extended by a period of six months, but—
- (a) only in relation to the application for a divorce order in respect of which the application under subsection (10) was made; and
 - (b) without invalidating that application for a divorce order.
- (14) A period for reflection and consideration which is extended under subsection (13), and which has not otherwise come to an end, comes to an end on there ceasing to be any children of the family to whom subsection (11) applied.