



Wills Act 1837

1837 CHAPTER 26 7 Will 4 and 1 Vict

[^{F1}18 Wills to be revoked by marriage, except in certain cases.

- (1) Subject to subsections (2) to [^{F2}(5)] below, a will shall be revoked by the testator's marriage.
- (2) A disposition in a will in exercise of a power of appointment shall take effect notwithstanding the testator's subsequent marriage unless the property so appointed would in default of appointment pass to his personal representatives.
- (3) Where it appears from a will that at the time it was made the testator was expecting to be married to a particular person and that he intended that the will should not be revoked by the marriage, the will shall not be revoked by his marriage to that person.
- (4) Where it appears from a will that at the time it was made the testator was expecting to be married to a particular person and that he intended that a disposition in the will should not be revoked by his marriage to that person,—
 - (a) that disposition shall take effect notwithstanding the marriage; and
 - (b) any other disposition in the will shall take effect also, unless it appears from the will that the testator intended the disposition to be revoked by the marriage.

[Nothing in this section applies in the case of a marriage which results from—

- ^{F3}(5) (a) the conversion of a civil partnership into a marriage under section 9 of the Marriage (Same Sex Couples) Act 2013 and regulations made under that section; or
- (b) the changing of a civil partnership formed under Part 3 of the Civil Partnership Act 2004 into a marriage under—
 - (i) the Marriage (Scotland) Act 1977;
 - (ii) the Marriage and Civil Partnership (Scotland) Act 2014; or
 - (iii) any order made under section 104 of the Scotland Act 1998 in consequence of the Marriage and Civil Partnership (Scotland) Act 2014.]]

Status: Point in time view as at 01/12/2015. This version of this provision has been superseded.

*Changes to legislation: There are currently no known outstanding effects
for the Wills Act 1837, Section 18. (See end of Document for details)*

Textual Amendments

- F1** S. 18 substituted by [Administration of Justice Act 1982 \(c. 53, SIF 116:5\)](#), **s. 18(1)**
- F2** Figure in s. 18(1) substituted (10.12.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) and Marriage and Civil Partnership \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2014 \(S.I. 2014/3168\)](#), art. 1(2)(3), **Sch. para. 1(2)(a)**
- F3** S. 18(5) inserted (10.12.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) and Marriage and Civil Partnership \(Scotland\) Act 2014 \(Consequential Provisions\) Order 2014 \(S.I. 2014/3168\)](#), art. 1(2)(3), **Sch. para. 1(2)(b)**

Status:

Point in time view as at 01/12/2015. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Wills Act 1837, Section 18.