



House of Commons

NOTICES OF AMENDMENTS

given up to and including

Wednesday 3 July 2019

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

Amendments tabled since the last publication: 7

CONSIDERATION OF BILL (REPORT STAGE)

DIVORCE, DISSOLUTION AND SEPARATION BILL

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

Fiona Bruce
Eddie Hughes

NC1

☆ To move the following Clause—

“Report on the impact on divorce applications and marriage support

- (1) The Secretary of State must publish an annual report on the impact of this Act on divorce proceedings and marriage.
- (2) The report under subsection 1 must include, but is not limited to—
 - (a) the number of divorce applications made under the provisions of this Act; and
 - (b) the number of married couples or civil partners who seek relationship counselling during the divorce process, broken down by demographic and geographic location; and

Divorce, Dissolution and Separation Bill, *continued*

- (c) a statement on the support services and marriage counselling available to married couples or civil partners as an alternative to divorce proceedings under this Act.
- (3) The report under subsection 1 must be laid before both Houses of Parliament.”
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Fiona Bruce
Eddie Hughes

NC2

☆ To move the following Clause—

“Increased support for marriage and civil partnerships

- (1) Section 22 of the Family Law Act 1996 (Funding for marriage support services) is amended as follows.
- (2) In subsection (1), for “may” substitute “must”.
- (3) In subsection (1)(a), at end insert “, both before and during a marriage”
- (4) After subsection (1)(a) insert—
- “(aa) marriage counselling for any partners to a marriage where an application has been made to the court to dissolve the marriage under section 1 of the Matrimonial Causes Act 1973.”
- (5) After subsection (3) insert—
- “(4) Any reference to marriage or marital breakdown in this section also applies to civil partnerships.””

Member’s explanatory statement

This new clause would ensure increased support for marriages and new support for couples where an application for divorce has been made to the court.

Michael Tomlinson

7

★ Clause 1, page 1, line 10, at end insert—

- “(3) The court, on receipt of an application under subsection (1), must ensure that both parties are provided with information on marriage support or relationship counselling available to couples as an alternative to divorce proceedings under this Act.”

Frank Field

1

☆ Clause 1, page 1, line 11, after “subsection (1)” insert “must consider whether a divorce order is in the interests of any child of the family and, if the court is satisfied that it is,”

Member’s explanatory statement

This amendment would require the courts to take the wellbeing of any children in the family into account before granting a divorce order to end a marriage.

Divorce, Dissolution and Separation Bill, *continued*

Fiona Bruce
Eddie Hughes

3

☆ Clause 1, page 2, line 8, at end insert—

“(5A) For the purposes of subsection (5), “the start of the proceedings” means—

- (a) in the case of an application that is to proceed as an application by both parties to the marriage, the date on which both parties apply for an order under subsection (1), or
- (b) in the case of an application that is to proceed as an application by one party to the marriage only, the date when the notice of an application for a divorce order has been received by the other party to the marriage.”

Member’s explanatory statement

This amendment would define the start of divorce proceedings so that it is clear when the 20-week period would start.

Fiona Bruce
Eddie Hughes

4

☆ Clause 1, page 2, line 18, at end insert—

“(8A) In the case of an application that is to proceed as an application by one party to the marriage only, there shall be no commencement of financial provision proceedings until the end of the period of 20 weeks from the start of the proceedings for the divorce order unless—

- (a) the other party to the marriage agrees to the commencement of financial provision proceedings, or
- (b) where there is an application under section 22 for the court to make an order for maintenance pending suit.”

Member’s explanatory statement

This amendment would ensure that there are no discussions about financial settlement in the 20-week period unless both parties agree or there is an application to the court for interim maintenance and financial injunctions.

Frank Field

2

☆ Clause 3, page 3, line 15, after “subsection (1)” insert “must consider whether a dissolution order is in the interests of any child of the family and, if the court is satisfied that it is,”

Member’s explanatory statement

This amendment would require the courts to take the wellbeing of any children in the family into account before granting a dissolution order to end a civil partnership.

 Divorce, Dissolution and Separation Bill, *continued*

Fiona Bruce
Eddie Hughes

5

☆ Clause 4, page 4, line 9, at end insert—

“(2A) For the purposes of subsection (2), “the start of the proceedings” means—

- (a) in the case of an application that is to proceed as an application by both civil partners, the date on which those persons apply for an order under section 44(1), or
- (b) in the case of an application that is to proceed as an application by one civil partner only, the date when the notice of an application for a dissolution order has been received by the other civil partner.”

Member’s explanatory statement

This amendment would define the start of dissolution proceedings so that it is clear when the 20-week period would start.

Fiona Bruce
Eddie Hughes

6

☆ Clause 4, page 4, line 18, at end insert—

“(5A) In the case of an application that is to proceed as an application by one civil partner only, there shall be no commencement of financial provision proceedings until the end of the period of 20 weeks from the start of the proceedings for the divorce order unless—

- (a) the other civil partner agrees to the commencement of financial provision proceedings, or
- (b) where there is an application under schedule 5, paragraph 2(1) for maintenance pending suit.”

Member’s explanatory statement

This amendment would ensure that there are no discussions about financial settlement in the 20-week period for the dissolving of a civil partnership unless both parties agree or there is an application to the court for interim maintenance and financial injunctions.

 ORDER OF THE HOUSE [25 JUNE 2019]

That the following provisions shall apply to the Divorce, Dissolution and Separation Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 4 July 2019.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

4. Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

Divorce, Dissolution and Separation Bill, *continued*

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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