



# House of Commons

Wednesday 17 June 2020

## COMMITTEE OF THE WHOLE HOUSE PROCEEDINGS

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### DIVORCE, DISSOLUTION AND SEPARATION BILL [LORDS]

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#### GLOSSARY

*This document shows the fate of each clause, schedule, amendment and new clause.*

*The following terms are used:*

*Agreed to:* agreed without a vote.

*Agreed to on division:* agreed following a vote.

*Negatived:* rejected without a vote.

*Negatived on division:* rejected following a vote.

*Not called:* debated in a group of amendments, but not put to a decision.

*Not moved:* not debated or put to a decision.

*Question proposed:* debate underway but not concluded.

*Withdrawn after debate:* moved and debated but then withdrawn, so not put to a decision.

*Not selected:* not chosen for debate by the Chair.

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Fiona Bruce  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess  
Martin Vickers

Bob Blackman  
Iain Duncan Smith

Nick Fletcher

Derek Thomas

*Withdrawn after debate* 1

Clause 1, page 2, line 8, leave out “20” and insert “46”

**Divorce, Dissolution and Separation Bill [*Lords*], *continued***

Fiona Bruce  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess  
Martin Vickers

Bob Blackman

Nick Fletcher

Derek Thomas

*Not called* 2

Clause 1, page 2, line 9, 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.”

Fiona Bruce  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess  
Martin Vickers

Derek Thomas

*Not called* 3

Clause 1, page 2, line 19, 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) there is an application under section 22 for the court to make an order for maintenance pending suit.”

*Clause agreed to.*

*Clauses 2 and 3 agreed to.*

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Fiona Bruce  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess  
Martin Vickers

Derek Thomas

*Not called* 4

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

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

**Divorce, Dissolution and Separation Bill [Lords], continued**

- (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.”

Fiona Bruce  
 Sir Edward Leigh  
 Sir John Hayes  
 Sally-Ann Hart  
 Sir David Amess  
 Martin Vickers

Derek Thomas

*Not called* 5

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) there is an application under schedule 5, paragraph 2(1) for maintenance pending suit.”

*Clause agreed to.*

*Clauses 5 to 8 agreed to.*

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Secretary Robert Buckland

*Agreed to* 6

Clause 9, page 6, line 28, leave out subsection (2)

*Clause, as amended, agreed to.*

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Fiona Bruce  
 Sir Desmond Swayne  
 Sir Edward Leigh  
 Sir John Hayes  
 Sally-Ann Hart  
 Sir David Amess

Martin Vickers  
 Nick Fletcher

Richard Fuller  
 Derek Thomas

Bob Blackman  
 Iain Duncan Smith  
*Negatived on division* NC1

To move the following Clause—

**Divorce, Dissolution and Separation Bill [*Lords*], *continued***

**“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.””

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Fiona Bruce  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess  
Martin Vickers

Bob Blackman

Nick Fletcher

Derek Thomas

*Not called* NC2

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 and dissolution proceedings and marriage and civil partnership with the first report to be published no later than 18 months after the day on which this section comes into force.
- (2) The report under subsection (1) must include, but is not limited to—
  - (a) the number of divorce and dissolution applications made under the provisions of this Act by the sex and income of the applicant and respondent, and
  - (b) the number of children in the relationships subject to the divorce and dissolution applications, and
  - (c) the number of married couples or civil partners who seek counselling during the divorce process, broken down by geographic location, and
  - (d) 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, broken down by geographic location.
- (3) The report under subsection (1) must be laid before both Houses of Parliament.”

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**Divorce, Dissolution and Separation Bill [Lords], continued**

Sir Edward Leigh  
Sir Desmond Swayne  
Fiona Bruce  
Martin Vickers  
Bob Blackman  
Nick Fletcher

Karl McCartney

Andrew Rosindell

*Not called* NC3

To move the following Clause—

**“Divorce after one year separation with consent**

- (1) The Matrimonial Causes Act 1973 is amended as follows.
- (2) In section 1(2), omit subsection (d) and insert—
  - “(d) that the parties to the marriage have lived apart for a continuous period of at least one year immediately preceding the presentation of the petition (hereafter in this Act referred to as “separation for one year”) and the respondent consents to a decree being granted;”
- (3) In section 10(1), substitute “separation for one year” for “two years’ separation”;
- (4) In section 10(2)(a), substitute “separation for one year” for “two years’ ”;
- (5) In section 10(2)(b), substitute “separation for one year” for “two years’ ”.”

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Keir Starmer  
Angela Rayner  
David Lammy  
Alex Cunningham  
Mr Nicholas Brown

*Not called* NC4

To move the following Clause—

**“Civil legal aid for divorce, dissolution or separation**

- (1) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
- (2) After paragraph 18, insert—
  - “18A Civil legal services provided in relation to the Matrimonial Causes Act 1973 and the Civil Partnership Act 2004.”

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Keir Starmer  
Angela Rayner  
David Lammy  
Alex Cunningham  
Mr Nicholas Brown

*Not called* NC5

To move the following Clause—

**Divorce, Dissolution and Separation Bill [*Lords*], *continued***

**“Legal aid for divorce proceedings report**

- (1) The Secretary of State must conduct a review of the cost and benefits of providing legal aid for divorce proceedings.
  - (2) In conducting the review under subsection (1), the Secretary of State must take account of the disparity between men and women in their capacity to afford legal advice in matrimonial proceedings.
  - (3) The Secretary of State must make arrangements for a copy of the report of the review to be laid before both Houses of Parliament no later than six months after the date on which this Act is passed.”
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Keir Starmer  
Angela Rayner  
David Lammy  
Alex Cunningham  
Mr Nicholas Brown

*Not called* NC6

To move the following Clause—

**“Financial abuse qualifying condition in legal aid family matters**

- (1) Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.
  - (2) In paragraph 12 (1) (a) after “violence” insert “or financial abuse”.
  - (3) In paragraph 12 (1) (b) after “violence” insert “or financial abuse”.
  - (4) In paragraph 9, at the end insert—  
    ““financial abuse” includes—
    - (a) having money or other property stolen,
    - (b) being defrauded,
    - (c) being put under pressure in relation to money or other property,  
and
    - (d) having money or other property misused.””
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Keir Starmer  
Angela Rayner  
David Lammy  
Alex Cunningham  
Mr Nicholas Brown

*Not selected* NC7

To move the following Clause—

**“Bereavement support payments report**

- (1) The Secretary of State must conduct a review of the cost and benefits of extending eligibility for higher and standard bereavement support payments under section 30 of the Pensions Act 2014, where—
  - (a) the parents of a child had been married to each other but were divorced when one of them died,

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**Divorce, Dissolution and Separation Bill [*Lords*], *continued***

- (b) the parents of a child had not been married to each other and were separated when one of them died, or
  - (c) the parents of a child had never been married to each other when one of them died.
- (2) The Secretary of State must make arrangements for a copy of the report of the review to be laid before both Houses of Parliament no later than six months after the date on which this Act is passed.”

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Keir Starmer  
Angela Rayner  
David Lammy  
Alex Cunningham  
Mr Nicholas Brown

*Not selected* NC8

To move the following Clause—

**“Lone parent payment report**

- (1) The Secretary of State must conduct a review of the cost and benefits of providing a lone parent payment where—
- (a) the parents of a child had been married to each other but were divorced when one of them died,
  - (b) the parents of a child had not been married to each other and were separated when one of them died, or
  - (c) the parents of a child had never been married to each other when one of them died.
- (2) The Secretary of State must make arrangements for a copy of the report of the review to be laid before both Houses of Parliament no later than six months after the date on which this Act is passed.”

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Stella Creasy  
Alex Cunningham

*Not called* NC9

To move the following Clause—

**“Review of Act in relation to children’s financial status**

- (1) The Secretary of State must conduct a review of the financial effects of this Act on families where the marital status (including a current or dissolved civil partnership) of a parent explicitly determines the eligibility for benefits for dependant children.
- (2) The Secretary of State must make arrangements for a copy of the report of the review to be laid before both Houses of Parliament no later than six months after the date on which this Act is passed.”
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**Divorce, Dissolution and Separation Bill [*Lords*], *continued***

Andrew Selous  
Iain Duncan Smith  
Derek Thomas

*Not called 7*

Schedule , page 19, line 4, at beginning insert—

“( ) Section 22 of the Family Law Act 1996 (funding for marriage support services) is amended as follows.

( ) In subsection (1), leave out “may, with the approval of the Treasury,” and insert “must”.

( ) In subsection (1)(a), at the end insert “, both before and during a marriage”.

( ) After subsection (1)(a) insert—

“(aa) marriage counselling for any partners to a marriage where an application has been made to the court for a divorce order under section 1 of the Matrimonial Causes Act 1973.”

( ) After subsection (3) insert—

“(4) Any reference to marriage or marital breakdown in this section also applies to civil partnerships.””

*Schedule agreed to.*

*Bill read the third time, and passed*

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