



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Thursday 11 June 2020**

*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: 6 and NC3*

### COMMITTEE OF THE WHOLE HOUSE

## DIVORCE, DISSOLUTION AND SEPARATION BILL [LORDS]

#### 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**This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess

1

Clause 1, page 2, line 3, leave out “20” and insert “46”

***Member’s explanatory statement***

*This amendment would extend the minimum legal period for a divorce from six months to one year (with the additional six weeks between the conditional and final orders).*

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

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

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.”

***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  
 Sir Edward Leigh  
 Sir John Hayes  
 Sally-Ann Hart  
 Sir David Amess

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.”

***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.*

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

4

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

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

- (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  
Sir Edward Leigh  
Sir John Hayes  
Sally-Ann Hart  
Sir David Amess

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.”

**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.*

Secretary Robert Buckland

6

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

**Member's explanatory statement**

*This amendment removes the privilege amendment inserted by the Lords.*

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

NC1

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”.

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

- (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.*

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

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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Sir Edward Leigh

NC3

★ To move the following Clause—

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

- (1) The Matrimonial Proceedings Act 1984 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

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

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’ ”.”

***Member’s explanatory statement***

*The intention of this new clause is to adopt in England and Wales the approach currently available in Scotland allowing a no-fault divorce to be granted on consent grounds in just one year.*

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## ORDER OF THE HOUSE [8 JUNE 2020]

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

*Committal*

1. The Bill shall be committed to a Committee of the whole House.

*Proceedings in Committee, on Consideration and up to and including Third Reading*

2. Proceedings in Committee, any 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 in Committee of the whole House are commenced.
3. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
4. Standing Order No. 83B (Programming committees) shall not apply to proceedings in Committee of the whole House, to any proceedings on Consideration or to other proceedings up to and including Third Reading.

*Other proceedings*

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