

# Divorce, Dissolution and Separation Bill [HL]

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE OF THE WHOLE HOUSE

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**Clause 1**

LORD MACKAY OF CLASHFERN

Page 2, line 8, leave out “20” and insert “46”

***Member’s explanatory statement***

*This 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).*

BARONESS CHAKRABARTI

Page 2, leave out lines 10 to 12

***Member’s explanatory statement***

*Omits new section 1(6) of the Matrimonial Causes Act 1973, as recommended by the Delegated Powers and Regulatory Reform Committee.*

LORD FARMER

Page 2, line 19, at end insert –

- “( ) 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 12 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 first 12 weeks of the 20-week period unless both parties agree or there is an application to the court for interim maintenance and financial injunctions.*

Page 2, line 20, leave out from “(6)” to “House” in line 21 and insert “may not be made unless a draft of the instrument has been laid before and approved by a resolution of each”

#### Clause 4

BARONESS CHAKRABARTI

Page 4, leave out lines 10 to 13

#### *Member’s explanatory statement*

*Omits new section 37A(3) of the Civil Partnership Act 2004, as recommended by the Delegated Powers and Regulatory Reform Committee.*

#### After Clause 5

LORD FARMER

LORD MACKAY OF CLASHFERN

Insert the following new 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, 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 applications made under the provisions of this Act by the sex and income of the applicant and respondent;
  - (b) the number of married couples or civil partners who seek relationship counselling during the divorce process, broken down by the demographics of the parties and geographic location;
  - (c) the number of children in the relationships subject to the divorce applications; 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.
- (3) The report under subsection (1) must be laid before each House of Parliament.”

#### The Schedule

LORD FARMER

LORD MACKAY OF CLASHFERN

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—

**The Schedule** - *continued*

“(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.”

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*25 February 2020*

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