

## Practice Direction 7C – Polygamous Marriages

This Practice Direction supplements PPR Part 7 (procedure for applications to matrimonial and civil partnerships proceedings), Part 9 (applications for a financial remedy) and Part 10 (procedure for other applications in proceedings).

### Scope of this Practice Direction

1.1 This practice direction applies where an application is made for —

- (a) a matrimonial order;
- (b) an order under section 27 of the 1973 Act;
- (c) an order under section 33 of the 1973 Act;
- (d) an order under the 1973 Act which is made in connection with, or with regard to —  
For any of the above orders, or
- (e) an order under Part 3 of the 1996 Act,

and either party to the marriage is, or has during the course of the marriage, been married to more than one person (a polygamous marriage).

### Polygamous marriages

2.1 Where this practice direction applies the application must state —

- (a) that the marriage is polygamous;
- (b) whether, as far as the party to the marriage is aware, any other spouse (that is, a spouse other than the spouse to whom the application relates) is still living (the "additional spouse"); and
- (c) if there is such an additional spouse —
  - (i) the additional spouse's name and address;
  - (ii) the date and place of the marriage to the additional spouse.

2.2 A respondent who believes that the marriage is polygamous must include the details referred to in paragraphs 2.1 above in the acknowledgement of service if they are not included in the application.

2.3 The applicant in any proceedings to which this practice direction applies must apply to the court for directions as soon as possible after the filing of the application or the issue of an acknowledgement of service mentioning an additional spouse.

2.4 On such an application or of its own initiative the court may —

- (a) give the additional spouse notice of any of the proceedings to which this practice direction applies; and
- (b) make the additional spouse a party to such proceedings.

2.5 In any case where the application or acknowledgement of service states that the marriage is polygamous (whether or not there is an additional spouse) a court officer must clearly mark the

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