

Statutory Document No. 2023/0134



*Divorce, Dissolution and Separation (Isle of Man) Act 2020*

## **DIVORCE, DISSOLUTION AND SEPARATION (ISLE OF MAN) ACT 2020 (APPOINTED DAY) ORDER 2023**

*Laid before Tynwald:*

*16 May 2023*

The Council of Ministers, after consultation with the Deemsters<sup>1</sup>, makes the following Order under section 2 of the Divorce, Dissolution and Separation (Isle of Man) Act 2020.

### **1 Title**

This Order is the Divorce, Dissolution and Separation (Isle of Man) Act 2020 (Appointed Day) Order 2023.

### **2 Interpretation**

(1) In this Order —

“**Act**” means the Divorce, Dissolution and Separation (Isle of Man) Act 2020; and

“**commencement date**” means 3 April 2023.

(2) In this Order, unless otherwise stated, a reference to a section or the Schedule is a reference to a section of, or the Schedule to, the Act.

### **3 Commencement of provisions**

(1) The remaining provisions of the Act come into operation on the commencement date, except for —

(a) paragraph 7 of the Schedule (period before annulment orders may be made final: section 13B inserted) to the extent that it inserts section 13B(2) into the Matrimonial Proceedings Act 2003; and

(b) paragraph 9(3) and (4) of the Schedule (provisional and final orders: section 23 amended).

(2) This article is subject to article 4.

<sup>1</sup> As required by section 2(1) of the Divorce, Dissolution and Separation (Isle of Man) Act 2020.

**4 Transitional provision – proceedings started before 3 April 2023**

- (1) Section 3 (divorce: removal of requirement to establish facts etc) and paragraphs 2, 3, 4, 5, 6, 9(1) and (2) and 10 of the Schedule do not apply in relation to proceedings for a divorce order that started before the commencement date.
- (2) Section 4 (separation: removal of factual grounds) and paragraph 10 of the Schedule do not apply in relation to proceedings for a separation order that started before the commencement date.
- (3) Paragraphs 7 (to the extent that paragraph 7 is being brought into operation) and 9(1) and (2) of the Schedule do not apply in relation to proceedings for an annulment order that started before the commencement date.
- (4) Sections 5 to 7 (civil partnership: dissolution and separation) and Part 2 of the Schedule do not apply in relation to proceedings for a dissolution, nullity, presumption of death or separation order that started before the commencement date.

**MADE 31 MARCH 2023**

*Signed by the authority of the Interim Chief Executive Officer (Isle of Man Government)*

**K HEMSLEY**

*Executive Director of Policy Development*

*EXPLANATORY NOTE*

*(This note is not part of the Order)*

This Order brings into operation the remaining provisions of the Divorce, Dissolution and Separation (Isle of Man) Act 2020 (the “Act”), other than —

- (a) paragraph 7 of the Schedule to the Act to the extent that it inserts section 13B(2) into the Matrimonial Proceedings Act 2003; and
- (b) paragraph 9(3) and (4) of the Schedule to the Act.

Sections 1 and 2 came into operation upon the Act’s announcement day, by virtue of section 18 of the Legislation Act 2015; and section 8(2) came into operation on the same day by virtue of section 2(2) of the Act.

Article 4 makes transitional provision to disapply various provisions of the Act where proceedings have started before the 3 April 2023, so that those proceedings continue under the Matrimonial Proceedings Act 2003 and the Civil Partnership Act 2011 as those Acts stood before their amendment by the Act.