

1 EXT 6

Form M7(a)
Affidavit by petitioner in support of petition under Section 1(2)(a) of the
Matrimonial Causes Act 1973

IN THE
(PRINCIPAL REGISTRY OF THE FAMILY DIVISION*)
Delete as appropriate
Between
and
and
No. of Matter
COUNTY COURT*

(Petitioner)
(Respondent)
(Co-Respondent)

TEXT 7

HOUSE OF LORDS
PEPPER (HER MAJESTY'S INSPECTOR OF TAXES)
(RESPONDENT)
v.
HART
(APPELLANT)
AND NINE OTHER APPEALS
(CONSOLIDATED APPEALS)

Lord Chancellor
Lord Keith of Kinkel
Lord Bridge of Harwich
Lord Griffiths
Lord Ackner
Lord Oliver of Aylmerton
Lord Browne-Wilkinson

LORD GRIFITHS. My Lords, I have long thought that the time had come to change the self-imposed judicial rule that forbade any reference to the legislative history of an enactment as an aid to its interpretation. The ever increasing volume of legislation must inevitably result in ambiguities of statutory language which are not perceived at the time the legislation is enacted. The object of the court in interpreting legislation is to give effect so far as the language permits to the intention of the legislature. If the language proves to be ambiguous I can see no sound reason not to consult Hansard to see if there is a clear statement of the meaning that the words were intended to carry. The days have long passed when the courts adopted a strict constructionist view of interpretation which required them to adopt the literal meaning of the language. The courts now adopt a purposive approach which seeks to give effect to the true purpose of legislation and are prepared to look at much extraneous material that bears upon the background against which the legislation was enacted. Why then cut ourselves off from the source in which may be found an authoritative statement of the intention with which the legislation is placed before Parliament? ...
In my view this case provides a dramatic vindication of the decision to consult Hansard; had your Lordships not agreed to do so the result would have been to place a very heavy burden of taxation upon a large number of persons which Parliament never intended to impose. I agree that this appeal should be allowed.
LORD ACKNER concurred with Lord Browne-Wilkinson.

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A Commissioner for Oaths
Officer of the Court appointed by
the Judge to take Affidavits

7. I ask the court to grant a decree dissolving my marriage with the respondent(S) on the ground stated in my petition [and to order the respondent/co-respondent to pay the costs of this suit]. (5)
(5) If the petitioner seeks a judicial separation, amend accordingly.
Sworn at [place and date]
Before me,

QUESTION	ANSWER
About the Divorce Petition	
1. Have you read the petition in this case?	
2. Do you wish to alter or to add to any statement in the petition? If so, state the alterations or additions.	
3. Subject to these alterations or additions (if any) is everything stated in your petition true? [...]	
4. State briefly your reasons for saying that the respondent has committed the adultery alleged.	

I, _____ (full name)
of _____ (full residential address)
_____ (occupation)
make oath and say as follows:-
1. I am the petitioner in this cause.
2. The answers to Questions 1 to 10 above are true. [Points 3-6 omitted]
3. I ask the court to grant a decree dissolving my marriage with the respondent(S) on the ground stated in my petition [and to order the respondent/co-respondent to pay the costs of this suit]. (5)

Before me,
A Commissioner for Oaths
Officer of the Court appointed by
the Judge to take Affidavits