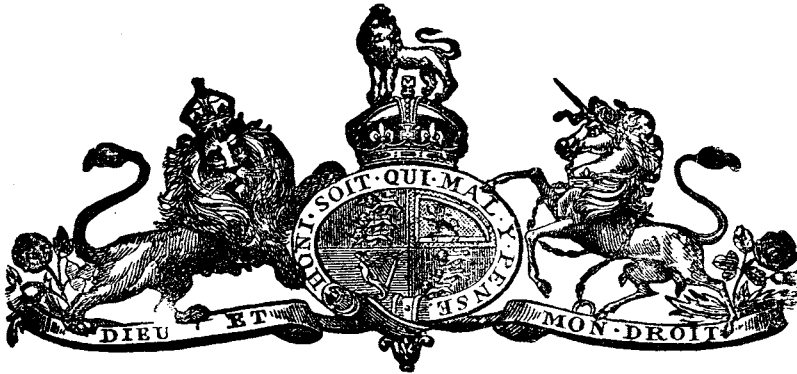


TASMANIA



1929.

ANNO VICESIMO

GEORGII V. REGIS.

No. 90.

ANALYSIS.

1. Short title.
2. Amendment of 12 Geo. V. No. 40.  
 Section 18 (2).  
 Section 21.  
 Section 23.  
 Corroboration.  
 Section 61.  
 Application of recognisance moneys.

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AN ACT to amend the Maintenance Act,  
 1921. [18 January, 1930.]

A.D.  
1929.

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

- 1 This Act may be cited as “ The Maintenance Act, 1929.”
- 2 The Maintenance Act, 1921, is hereby amended—
  - I. As to Subsection (2) of Section Eighteen thereof—
    - (a) By expunging Paragraph II. thereof; and

Short title.  
  
 Amend-  
 ment of  
 12 Geo. V.  
 No. 40.  
 Section 18  
 (2).

4d.]

*Maintenance.*

A.D. 1929.

- (b) By inserting after the word "prostitute" at the end of Paragraph III. thereof the words "or at or about that time has had sexual intercourse with any man other than the defendant.":
- Section 21. II. By expunging Subsection (2) of Section Twenty-one thereof:
- Section 23. III. By inserting therein after Subsection (2) of Section Twenty-three the following new Subsections (3) and (4)—
- Corroboration.
- "(3) Upon the hearing of any such complaint as aforesaid, if the defendant on his oath has denied the allegations in the complaint as to paternity and has submitted himself for cross-examination thereon—
- i. No order shall be made against the defendant: and
- ii. The defendant shall not be deemed to be the father of the child or expected child—
- unless the evidence of the mother is supported by other evidence which tends, in the opinion of the Court, to establish the truth of her allegations.
- (4) Such corroborating evidence as aforesaid may consist of facts, elicited in the cross-examination as aforesaid of the defendant, which tend to support the truth of the allegations of the mother or expectant mother, as the case may be."
- Section 61. IV. By inserting after Subsection (3) of Section Sixty-one thereof the following new Subsections (4), (5), and (6)—
- Application of recognisance moneys.
- "(4) Where any such recognisance is estreated the amount received in respect thereof shall be paid to the Clerk of the Court in which such order as aforesaid was made, and shall be applied by him in or towards the payment of the moneys directed by such order to be paid as and when the same are, or become, payable as the case may be, to the extent to which such amount is sufficient for that purpose.
- (5) Where any such moneys as aforesaid remain in the hands of such clerk, other than temporarily, the same shall be invested or paid into such bank as a police magistrate may direct, and all interest and accumulations received in respect thereof shall be applied as provided by Subsection (4) hereof.
- (6) Where any balance of such moneys remains unapplied when the provisions of Subsection (4) hereof have become inapplicable, the same shall be paid into the Consolidated Revenue."