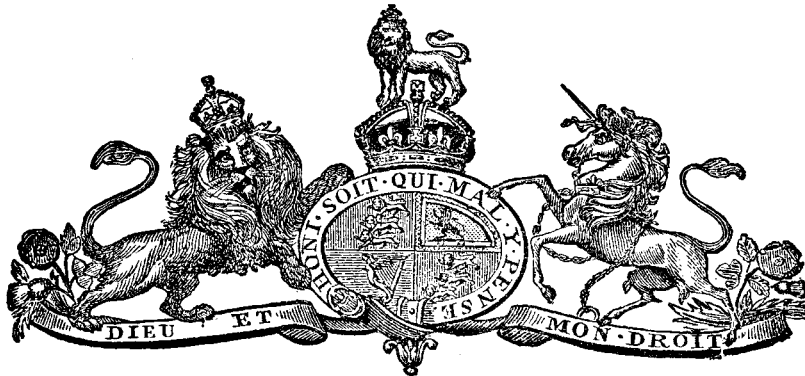


TASMANIA



1930.

ANNO VICESIMO PRIMO

GEORGII V. REGIS.

No. 70.

ANALYSIS.

- 1. Short title.
- 2. Amendment of 24 Vict. No. 1.
New Section 17a.
Power to allow intervention on terms.
Section 32.
- 3. Saving.
- 4. Amendment of 38 Vict. No. 13.
Power to Court to order and enforce payment of maintenance.



AN ACT to amend the Matrimonial Causes Act. [12 January, 1931.]

A.D. 1930.

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 Matrimonial Causes Act, 1930.”

Short title.

4d.]

Matrimonial Causes.

A.D. 1930.

Amend-
ment of
24 Vict.
No 1.New Sec-
tion 17a.

Power to
allow inter-
vention on
terms.

15 and 16
Geo. V.,
c. 49, s. 197.

Section 32.

Saving.

Amend-
ment of
38 Vict.
No. 13.Power to
Court to
order and
enforce pay-
ment of
mainten-
ance.Cf. 15 & 16
Geo. V.,
Ch. 49, s.
190.15 & 16
Geo. V.,
Ch. 49,
s. 190 (2).**2** The Matrimonial Causes Act is hereby amended—I. By inserting therein after Section Seventeen the following new Section **17a** :—

“**17a** In every case in which any person is charged with adultery with any party to a suit, or in which the Court may consider, in the interest of any person not already a party to the suit, that that person should be made a party to the suit, the Court may, if it thinks fit, allow that person to intervene upon such terms, if any, as the Court thinks just”: and

II. By inserting after the word “thereby” in the second line of Section Thirty-two thereof the words “, either within or without His Majesty’s dominions”.

3 No decree or order heretofore granted or made shall be annulled or invalidated by reason only of the fact that the petition in relation to which the same was granted or made was served in any place beyond the jurisdiction of the Court.

4 The Matrimonial Causes Act (No. 4) is hereby amended by repealing Section Two thereof, and substituting therefor the following new Section **2** :—

“**2**—(1) In every case in which the Court pronounces a decree for a dissolution or nullity of marriage, the Court may, if it thinks fit, either in addition to or instead of an order under Section Twenty-one of the Matrimonial Causes Act, by order, direct the husband to pay to the wife during their joint lives such monthly or weekly sum for her maintenance and support as the Court may think reasonable.

(2) If the husband after any such order has been made becomes from any cause unable to make the payments, the Court may discharge or modify the order, or temporarily suspend the order as to the whole or any part of the money ordered to be paid, and subsequently revive it wholly or in part, as the Court thinks fit.

(3) Where the Court has made any such order as aforesaid and the Court is satisfied that the means of the husband have increased, the Court may, if it thinks fit, increase the amount payable under the order.

(4) When any order is made under this section, the Court may, if it thinks fit, at the time of making the order, require the husband to enter into a recognisance, with or without a surety or sureties, for due compliance with the order.

(5) If the husband fails to enter into such recognisance as aforesaid upon being ordered so to do, or within such time as the Court may allow for that purpose, the Court may commit him to some gaol to be imprisoned until such recognisance has been completed to the satisfaction of the Court, but no person shall be imprisoned under this subsection for a longer period than six months.

Matrimonial Causes.

(6) Where any such recognisance as aforesaid is estreated, the amount received in respect thereof shall be paid to the Registrar and shall be applied by him in or towards the payment of the moneys directed to be paid by such order.

(7) The Court at any time may inquire into any alleged non-compliance with any order made under this section, and may enforce compliance, or may punish non-compliance, with any such order by the committal of the husband to prison for any period not exceeding six months or until such order is sooner complied with."

A.D. 1930.
