



ANALYSIS

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1980, No. 74

An Act to amend the Matrimonial Property Act 1976

[16 December 1980]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Matrimonial Property Amendment Act 1980, and shall be read together with and deemed part of the Matrimonial Property Act 1976 (hereinafter referred to as the principal Act).

2. Matrimonial property defined—(1) Section 8 of the principal Act is hereby amended by repealing paragraph (e), and substituting the following paragraphs:

“(e) Subject to subsections (2) to (6) of section 9 and to section 10 of this Act, all property acquired by either the husband or the wife after the marriage; and

“(ee) Subject to subsections (3) to (6) of section 9 and to section 10 of this Act, all property acquired after the marriage for the common use and benefit of both the husband and the wife out of property

owned by either the husband or the wife or both of them before the marriage or out of the proceeds of any disposition of any property so owned; and”.

(2) Section 8 of the principal Act is hereby further amended by omitting from paragraph (f), and also from paragraph (h), the words “paragraphs (a) to (e)”, and substituting in each case the words “paragraphs (a) to (ee)”.

3. Separate property defined—Section 9 (2) of the principal Act is hereby amended by omitting the words “sections 8 (e) and 10”, and substituting the words “sections 8 (ee) and 10”.

4. Transitional provision—In the case of proceedings filed under the principal Act before the commencement of this Act, the amendments made to the principal Act by this Act shall apply to those proceedings where the hearing of those proceedings has not been commenced before the commencement of this Act.

This Act is administered in the Department of Justice.
