

Mr. Mason.

DIVORCE AND MATRIMONIAL CAUSES AMENDMENT.

Title.	ANALYSIS.
1. Short Title.	3. Discretion of Court in certain cases. Section 18 of principal Act amended.
2. Section 10 of principal Act amended	

A BILL INTITLED

AN ACT to amend the Divorce and Matrimonial Causes Act, 1928. Title.

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

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1. This Act may be cited as the Divorce and Matrimonial Causes Amendment Act, 1931, and shall be read together with and deemed part of the Divorce and Matrimonial Causes Act, 1928 (hereinafter referred to as the principal Act).
Short Title.
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2. Section ten of the principal Act is hereby amended by striking out the word "seven" in paragraph (f) thereof, and substituting therefor the word "four".
Section 10 of principal Act amended.
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3. (1) Where a petition is presented on any of the grounds appearing in paragraphs (i) or (j) of section ten of the principal Act, and the agreement or decree order or judgment has not been in force for five years, the Court shall especially inquire into the question of the extent to which each party by wrongful act or conduct brought about or contributed to the bringing-about of the separation, and also into the question of the extent to which the remarriage of either party might prejudice the position of the respondent or the children of the marriage sought to be dissolved in respect of alimony or maintenance, and if it decides in its discretion that a decree should not be made it may also order that a further petition upon the same grounds may not be presented within such further time as the Court thinks fit, but so that the further time shall not be more than five years from the time of the separation.
Discretion of Court in certain cases.
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(2) Nothing herein shall affect the right of the Court to take into consideration any of the foregoing questions in exercising its discretion in respect of petitions represented on any of the grounds mentioned in the last preceding subsection if such petition be not presented within the time mentioned in that subsection.
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(3) In the case of any petition upon the grounds mentioned in the *first* subsection hereof, and whether or not the petition is presented within the time mentioned in that subsection, no recital in any deed or writing or finding in any decree, order, or judgment shall preclude the Court from inquiring into any facts or circumstances as it may deem fit in order to determine the extent to which each party by wrongful act or conduct brought about or contributed to the bringing-about of the separation. 5

Section 18
of principal Act
amended.

(4) Section eighteen of the principal Act is hereby amended by striking out all the words after the words "a decree shall be made". 10

By Authority: W. A. G. SKINNER, Government Printer, Wellington.—1931.