

## MATRIMONIAL CAUSES (EXPEDITIONARY FORCES).

No. 15 of 1919.

An Act to apply the Imperial Act known as the *Matrimonial Causes (Dominion Troops) Act 1919* to the Commonwealth of Australia.

[Assented to 28th October, 1919.]

BE it enacted by the King's Most Excellent Majesty, the Senate, and the House of Representatives of the Commonwealth of Australia, as follows :—

Short title.

1. This Act may be cited as the *Matrimonial Causes (Expeditionary Forces) Act 1919*.

Application of  
*Matrimonial  
Causes  
(Dominion  
Troops) Act  
1919* to  
Commonwealth.

2. The Imperial Act known as the *Matrimonial Causes (Dominion Troops) Act, 1919*, a copy of which is set out in the Schedule to this Act, shall apply to the Commonwealth as from the coming into operation of this Act.

### THE SCHEDULE.

[9 & 10 GEO. 5.] *Matrimonial Causes (Dominion Troops) Act 1919*. [CH. 28.]

(CHAPTER 28).

An Act to enable the Competent Courts in the United Kingdom to entertain matrimonial proceedings in respect of certain marriages contracted during the war by members of His Majesty's Forces domiciled outside the United Kingdom.

[22nd July, 1919].

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Power to  
entertain  
proceedings.

1. Where a marriage has been contracted in the United Kingdom during the present war by a member of His Majesty's Forces domiciled in any of His Majesty's possessions or protectorates to which this Act applies, the competent court in that

THE SCHEDULE—*continued.*

part of the United Kingdom where the marriage took place shall, any question of domicile or residence notwithstanding, have full jurisdiction and power to entertain, hear and determine any of the matrimonial proceedings specified in the schedule to this Act, where such proceedings are instituted by either party to the marriage, and to make decrees and orders in relation to such proceedings, as though the parties to the marriage were domiciled or, where the jurisdiction of the court depends upon residence, resident in that part of the United Kingdom :

Provided that this Act shall not apply in any case where the parties to the marriage have at any time since the marriage resided together in the country of the husband's domicile.

For the purposes of this section "the competent court" means, as respects England and Ireland the High Court, and as respects Scotland the Court of Session.

2. This Act applies—

- (a) to any self-governing dominion, as from such date as may be prescribed by the legislature of that dominion in any declaration or enactment which may be passed applying this Act to such dominion :
- (b) to any of His Majesty's possessions, not being a self-governing dominion, and to any territory under His Majesty's protection, as from such date as may be prescribed by Order in Council applying this Act to that possession or territory.

Application of Act.

The expression "self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, and Newfoundland.

3.—(1) This Act shall, in its application to England, be construed as one with the Matrimonial Causes Acts, 1857 to 1907, and those Acts and this Act may be cited together as the Matrimonial Causes Acts, 1857 to 1919, and this Act shall, in its application to Ireland, be construed as one with the Matrimonial Causes and Marriage Laws (Ireland) Amendment Acts, 1870 and 1871, and those Acts and this Act may be cited as the Matrimonial Causes and Marriage Laws (Ireland) Amendment Acts, 1870 to 1919 ; and this Act may be cited separately as the *Matrimonial Causes (Dominion Troops) Act, 1919.*

Short title, construction and saving.

(2) Nothing in this Act shall prejudice or affect the jurisdiction of any court with respect to matrimonial proceedings, other than that conferred by this Act.

(3) This Act shall not apply to proceedings commenced after the expiration of one year from the passing thereof.

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SCHEDULE.

MATRIMONIAL CAUSES.

In England, proceedings for divorce, judicial separation, and restitution of conjugal rights.

In Scotland, proceedings for divorce, separation *a mensâ et thoro*, and adherence.

In Ireland, proceedings for divorce *a mensâ et thoro*, restitution of conjugal rights, and criminal conversation.

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