

**MARRIED WOMEN'S PROPERTY.**11<sup>a</sup> Elizabeth II., No. LXXIX.

---

**No. 79 of 1962.**


---

**AN ACT to amend the Married Women's Property Act, 1892.***[Assented to 6th December, 1962.]*

**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Married Women's Property Act Amendment Act, 1962.*

Short title and citation.

(2) In this Act the Married Women's Property Act, 1892, is referred to as the principal Act.

Reprinted in Vol. 1 of the Reprinted Acts under the authority of the Amendments Incorporation Act of 1923, and of 1938.

(3) The principal Act as amended by this Act may be cited as the Married Women's Property Act, 1892-1962.

S. 1A  
added.

2. The principal Act is amended by adding, after section one, the following section:—

Disposition  
of trust  
estates by  
married  
women.  
U.K. M.W.P.  
Act, 1907, s. 1.  
Cf. W.A.  
Trustees Act,  
1900, s. 21.

1A. (1) A married woman is able, without the assistance, participation or concurrence of her husband, to dispose of, or to join in disposing of, real or personal property held by her solely or jointly with any other person as trustee or personal representative in like manner as if she were a *feme sole*.

(2) This section operates to render valid and confirm all such dispositions as are mentioned in subsection (1) of this section and are made after the eighteenth day of March, one thousand eight hundred and ninety-two, and whether before or after the coming into operation of the Married Women's Property Act Amendment Act, 1962, but, where any title or right has been acquired through or with the concurrence of the husband, before the coming into operation of that Act, that title or right prevails over any title or right which would otherwise be rendered valid by this section.

S. 19  
amended.

3. Section nineteen of the principal Act is amended by substituting, for the passage commencing with and including the word "woman" in line four and ending with and including the word "and" in line fourteen, the passage, "woman; but".

---