

DIVORCE.

11° GEO. V., No. LII.

No. 52 of 1920.

AN ACT to further amend the Law relating to Divorce and Matrimonial Causes.

[Reserved 31st December, 1920.]

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

1. This Act may be cited as the *Divorce Act Amendment Act, 1920.* Short title.

2. (1.) Section five of the Divorce Amendment Act, 1919, is hereby amended by inserting the words "subject as hereinafter provided" after the word "entitled," in line eight of subsection (1), and by omitting the words "although the period of five years or two years (as the case may be)," and inserting in place thereof "may be pronounced although the period of two years," and by adding to subsection (1) a proviso, as follows:—

Amendment of Section 5 of Act No. 33 of 1919.

Provided that no such decree *nisi* for the dissolution of a marriage shall be made unless the desertion shall have continued for three years, but wilful desertion without just or reasonable cause or excuse prior to the decree for the restitution of conjugal rights, if continuous with subsequent desertion, shall be included in computing such period of three years:

(2.) The amendment of section five of the Divorce Amendment Act, 1919, made by this Act, shall not apply to proceedings pending in the Supreme Court on any petition filed before the 1st day of January, 1921, nor to any proceedings following thereon or on any order obtained under any such petition, which proceedings shall be heard and determined as if this Act had not been passed.

Amendment of
Section 2 of
Act No. 7 of
1912.

3. Section two of the Divorce Amendment Act, 1911, is amended by striking out the word "five," in line fourteen of substituted section twenty-three of the principal Act, and inserting the word "three," in lieu thereof.