

## DIVORCE.

16° GEO. V., No. XXIII.

No. 23 of 1925.

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

[Reserved 15th December, 1925.]

**B**E 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 Amendment Act*, 1925. Short title.

2. Section twenty-three of the Ordinance 27 Victoriae No. 19 (as amended by section two of the Divorce Amendment Act, 1911) is hereby amended by the insertion, immediately after paragraph (d) thereof, of a paragraph as follows:—

Amendment of  
sec. 23 of  
Ordinance 27  
Vict., No. 19.

“ or (e) on the ground that the respondent, being the petitioner's husband,—

(i) is separated from the petitioner under a decree or order of a competent court or by virtue of a deed of separation, and has been so separated for a period of three years and upwards; and

(ii) is, and has been during the period aforesaid, liable by virtue of a decree or order of the said court or of a covenant in the said deed to make periodical

payments to the petitioner, or to some person on her behalf, by way of alimony or for the maintenance and support either of the petitioner alone or of her and any child being offspring of the marriage : and

- (iii) has during the period aforesaid failed to make such payments periodically as required by the decree, order or covenant, either entirely or repeatedly and habitually."