DOMICILE (CONSEQUENTIAL AMENDMENTS) BILL 1981

Date Introduced: 20 October 1981
House: Senate
Presented by: Senator the Hon. P.D. Durack, Q.C., Attorney-General

Short Digest of Bill

Purpose

To repeal provisions in the Marriage Act 1961 and the Family Law Act 1975 that will be rendered superfluous by the enactment of the Domicile Bill 1981.

Background

The Domicile Bill 1981 (see Bills Digest 81/153) provides inter alia, that domicile of a married woman will no longer be coupled with that of her husband, that a domicile of choice although abandoned will remain a person's domicile until a new domicile of choice is acquired, and, that persons over the age of 18 years or persons under that age who marry may acquire an independent domicile of choice.

Specific provisions to this effect had previously been contained in section 5(4) of the Marriage Act 1961 and section 4(3) of the Family Law Act 1975. These provisions will now be rendered redundant by virtue of the general application of clauses 6, 7, and 8 of the Domicile Bill 1981.

Provisions

Clause 2 provides that the Bill shall come into operation on the day on which the Domicile Act 1981 comes into operation.

Clause 3 amends the Marriage Act 1961 by omitting section 5(4).

Clause 4 amends the Family Law Act 1975 by omitting section 4(3).

For further information, if required, contact:

28 October 1981
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