

1981

THE PARLIAMENT OF THE COMMONWEALTH OF AUSTRALIA

THE SENATE

DOMICILE (CONSEQUENTIAL AMENDMENTS) BILL 1981

EXPLANATORY MEMORANDUM

(Circulated by the Attorney-General,  
Senator the Honourable P.D. Durack, Q.C.)

## OUTLINE

The purpose of this Bill is to omit sub-section (4) of section 5 of the Marriage Act 1961 and sub-section (3) of section 4 of the Family Law Act 1975. These sub-sections both relate to certain aspects of domicile which are now covered by the Domicile Bill 1981.

## NOTES ON CLAUSES

### Clause 1 - Short Title

This clause provides for the citation of the Bill.

### Clause 2 - Commencement

This clause provides that the Act shall come into operation on the day on which the Domicile Act 1981 comes into operation.

### Clause 3 - Amendment of Marriage Act 1961

This clause provides for the omission of sub-section (4) of section 5 of the Marriage Act 1961. That sub-section relates to domicile of a married woman, the abandonment of a domicile of choice and capacity of a person of 18 years or more to have an independent domicile for the purposes of this Act. The matters dealt with in sub-section (4) are now covered by clauses 6, 7 and 8 of the Domicile Bill 1981.

### Clause 4 - Amendment of Family Law Act 1975

This clause provides for the omission of sub-section (3) of section 4 of the Family Law Act 1975. That sub-section relates to domicile of a married woman, the abandonment of a domicile of choice and capacity of a person of 18 years or more to have an independent domicile for the purposes of this Act. The matters dealt with in sub-section (3) are now covered by clauses 6, 7 and 8 of the Domicile Bill 1981.

