

## MARRIED PERSONS (TORTS)

### No. 15 of 1968

An Ordinance to make provision with respect to rights of action in tort between married persons, and for purposes connected therewith.

1. This Ordinance may be cited as the *Married Persons (Torts) Ordinance 1968*.\* Short title and citation.
2. This Ordinance shall come into operation on a date to be fixed by the Minister of State for the Interior by notice published in the *Gazette*.† Commencement.
3. This Ordinance shall be administered by the Attorney-General. Administration of Ordinance.
4. Subject to section 6 of this Ordinance, a party to a marriage has, after the commencement of this Ordinance, the like rights of action in tort against the other party to the marriage as he would have had if the parties were not married to each other. Actions in tort by one spouse against the other.
5. Subject to the next succeeding section, a person who was a party to a marriage that has been dissolved or annulled has, after the commencement of this Ordinance, the like rights of action in tort against the person who was the other party to the marriage as he would have had if the parties had never been married to each other. Actions in tort by a former spouse against the other.
6. The last two preceding sections do not apply to or in relation to a cause of action that arose, or would, but for the subsistence of a marriage, have arisen, before the commencement of this Ordinance. Application.
7. This Ordinance shall not be taken to affect the operation of section 22 of the Married Women's Property Act, 1901, of the State of New South Wales in its application to the Territory. Questions between spouses as to property may be decided in a summary way.

\* Made on 15 August 1968; notified in the *Commonwealth Gazette* on 22 August 1968.

† The date fixed was 1 December 1968; see *Commonwealth Gazette* 28 November 1968, p. 6880.