



Australian Capital Territory

Married Persons (Torts) Act 1968

A1968-15

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Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Married Persons (Torts) Act 1968* effective 28 December 1978 to 11 September 2001.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.



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MARRIED PERSONS (TORTS) ACT 1968

This consolidation has been prepared by the ACT Parliamentary Counsel's Office

Reprinted as at 30 June 1991

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

Short title

1. This Act may be cited as the *Married Persons (Torts) Act 1968*.¹

Commencement

2. This Act shall come into operation on a date to be fixed by the Minister of State for the Interior by notice published in the *Gazette*.¹

Actions in tort by one spouse against the other

4. Subject to section 6 of this Act, a party to a marriage has, after the commencement of this Act, 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 a former 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 Act, 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.

Application

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 Act.

Questions between spouses as to property may be decided in a summary way

7. This Act 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.

Married Persons (Torts) Act 1968

NOTE

1. The *Married Persons (Torts) Act 1968* as shown in this reprint comprises Act No. 15, 1968 amended as indicated in the Tables below.

Citation of Laws—The *Self-Government (Citation of Laws) Act 1989* (No. 21, 1989) altered the citation of most Ordinances so that after Self-Government day they are to be cited as Acts. That Act also affects references in ACT laws to Commonwealth Acts.

Table of Ordinances

Ordinance	Number and year	Date of notification in <i>Gazette</i>	Date of commencement	Application, saving or transitional provisions
<i>Married Persons (Torts) Ordinance 1968</i>	15, 1968	22 Aug 1968	1 Dec 1968 (see <i>Gazette</i> 1968, p. 6880)	
<i>Ordinances Revision Ordinance 1978</i>	46, 1978	28 Dec 1978	28 Dec 1978	—

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision	How affected
S. 3	rep. No. 46, 1978