

Title.	AN ACT to compile certain Acts relating to Divorce and Matrimonial Causes.	
	BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—	5
Short Title.	1. (1.) The Short Title of this Act shall be “The Divorce and Matrimonial Causes Acts Compilation Act, 1904.”	
	(2.) This Act is a compilation of the Acts mentioned in the First Schedule hereto.	
Arrangement of sections of Act. 1867, No. 94, sec. 2	2. The sections of this Act are arranged in Parts as follows :— Part I.—Decrees for Judicial Separation and Restitution of Conjugal Rights. Part II.—Decrees for Dissolution of Marriage. Part III.—Remedies against Adulterers. Part IV.—Provisions for the Benefit of Children. Part V.—Procedure in Matrimonial Causes.	10 15
Interpretation. Ibid, sec. 3	3. In the interpretation of this Act the words “Court” and “Supreme Court” shall, unless repugnant to or inconsistent with the context, mean the Supreme Court of New Zealand; and the Judge or Judges of the Supreme Court shall have all the powers and jurisdiction hereby given to the Court, subject to the provisions of this Act and any rules made hereunder.	20
Jurisdiction. Ibid, sec. 4	4. The Supreme Court shall have jurisdiction in respect of judicial separation, suits of nullity of marriage, or suits of restitution of conjugal rights, and in all causes, suits, and matters matrimonial except in respect of marriage licenses.	25
Power to make and alter rules for procedure, &c. Ibid, sec. 5	5. (1.) The Judges of the Supreme Court, or any three of them, shall have power to make rules and regulations concerning the practice, pleading, and procedure under this Act, and from time to time to revoke or alter such rules or regulations as they may from time to time consider expedient.	30
Judges may fix scale of costs. 1898, No. 42, sec. 23	(2.) The Judges of the Supreme Court, or any three of them, shall also have power to fix a scale of costs for all suits and proceedings, and to make rules and regulations regarding such costs, and to alter and amend the same from time to time, or to substitute any new and different scales, rules, or regulations. Until a scale of costs shall have been fixed by the Judges as herein provided, costs, when allowed, shall be regulated and paid according to the scale of costs contained in the <i>Second</i> Schedule hereto; but the Court may at any time fix a sum or sums as the costs of the suit or proceeding, as the case may be, in full of all costs.	35 40

PART I.

DECREES FOR JUDICIAL SEPARATION AND RESTITUTION OF CONJUGAL RIGHTS.

Judicial separation substituted for divorce <i>a mensâ et thoro</i> . 1867, No. 94, s. c. 6	6. No decree shall be made for a divorce <i>a mensâ et thoro</i> , but in like cases to those in which a decree for a divorce <i>a mensâ et thoro</i> might have been heretofore pronounced in England by any Court having jurisdiction in the matter, the Supreme Court may pronounce a decree for a judicial separation, which shall have the same force and effect as a divorce <i>a mensâ et thoro</i> .	45 50
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