



ANALYSIS

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1986, No. 88

An Act to amend the Family Proceedings Act 1980

[6 November 1986]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. Short Title—This Act may be cited as the Family Proceedings Amendment Act 1986, and shall be read together with and deemed part of the Family Proceedings Act 1980 (hereinafter referred to as the principal Act).

2. Interpretation—(1) Section 2 of the principal Act is hereby amended by repealing the definition of the term “employer”, and substituting the following definition:

“‘Employer’, for the purposes of sections 105 to 117 of this Act, in relation to a respondent, includes—

“(a) A person by whom a retiring allowance or pension or other payment of a like nature is payable to the respondent:

“(b) The Accident Compensation Corporation in respect of earnings related compensation payable to the respondent.”

(2) Section 2 of the principal Act is hereby further amended by repealing the definition of the term “salary”, and substituting the following definition:

“‘Salary’ or ‘wages’, for the purposes of sections 105 to 117 of this Act, includes—

“(a) A retiring allowance or pension or other payment of a like nature:

“(b) Earnings related compensation under the Accident Compensation Act 1972 or the Accident Compensation Act 1982:”.

3. Definition of marriage—The principal Act is hereby amended by inserting in Part II, before section 8, the following section:

“7A. (1) The term ‘marriage’ includes,—

“(a) For the purposes of section 9 of this Act; and

“(b) For the purposes of section 10 (4) and (5) and section 19 (1) of this Act (so far as those sections relate to an application by a party to a marriage for an order under the Guardianship Act 1968),—

a relationship in which the parties are or have been living together as husband and wife, although not legally married to each other; and the terms ‘husband’ and ‘wife’ have a corresponding meaning for those purposes.

“(2) Nothing in this section limits the extended meaning assigned to the term ‘marriage’ by section 2 of this Act.”

4. Evidence of mother—Section 52 of the principal Act is hereby amended by repealing subsection (2), and substituting the following subsection:

“(2) If the mother of the child gives evidence, no corroboration of her evidence shall be necessary for the making of a paternity order in respect of the child.”

This Act is administered in the Department of Justice.
