

New Zealand.



ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Section 4 of principal Act repealed.</p> | <p>3. Mother may secure legitimation when husband deceased.</p> <p>4. Form of declaration.</p> |
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1921-22, No. 49.

AN ACT to amend the Legitimation Act, 1908.

Title.

[6th February, 1922.]

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

Short Title.

1. This Act may be cited as the Legitimation Amendment Act, 1921-22, and shall be read together with and deemed to form part of the Legitimation Act, 1908 (hereinafter referred to as the principal Act).

Section 4 of principal Act repealed.

2. Section four of the principal Act is hereby repealed.

Mother may secure legitimation when husband deceased

3. (1.) In the case of a man who has married the mother of a child born before their marriage dying without availing himself of the provisions of the principal Act to secure the legitimation of such child the mother may make application for the legitimation thereof.

(2.) Upon receipt of any such application the Registrar-General or the Deputy Registrar shall transmit such application under seal to a Stipendiary Magistrate in the district in which the applicant resides, and on receipt of such application such Magistrate shall appoint a time and place for the hearing of such application and cause notice thereof to be given to the applicant.

(3.) The hearing of all such applications shall be held in private, but the Magistrate may allow or order the attendance of any person interested or concerned therein, or of any person who in his opinion might be able to give evidence affecting the application.

(4.) Upon the hearing of any such application the Magistrate shall take evidence on oath, and he may, in his discretion, receive as evidence affidavits or statutory declarations.

(5.) On the production to the Registrar-General or to the Deputy Registrar of a certificate of the Magistrate who heard the application to the effect that it had been proved to his satisfaction that the husband of the applicant was the father of the child mentioned therein the Registrar-General or the Deputy Registrar shall register such child as the lawful issue of the applicant and her said husband, and shall proceed as directed by paragraphs (b) and (c) of section six of the principal Act.

4. The form of declaration set forth in the First Schedule to the principal Act is hereby amended by the omission therefrom of the fourth paragraph thereof. Form of declaration.
