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2nd Session Third Parliament Trinidad and Tobago  
22 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 39 of 1973**

AN ACT to amend the Matrimonial Proceedings and Property Act, 1971.

*[Assented to 10th November, 1973]*

BE IT ENACTED by the Queen's Most Excellent Majesty, **Enactment**  
by and with the advice and consent of the Senate and  
House of Representatives of Trinidad and Tobago, and  
by the authority of the same, as follows:—

1. This Act may be cited as the Matrimonial Proceedings **Short title**  
and Property (Amendment) Act, 1973.

Section  
17(1) of Act  
No. 2 of 1972  
repealed and  
replaced

2. Section 17(1) of the Matrimonial Proceedings and Property Act, 1971 (hereinafter referred to as "the Act") is repealed and replaced as follows:—

" (1) Every decree of divorce, of nullity, of marriage or of presumption of death and dissolution of marriage (in this section and in section 18(1)(b) referred to as a "*decree nisi*") shall in the first instance be a *decree nisi* and shall not be made absolute before the expiration from its grant of a period of three months or such other period as may be fixed by rules of court, unless the Court by special order fixes a shorter period in any particular case."

Section 53  
of the Act

*amended*

3. Section 53 of the Act is amended—

(a) in subsection (6), by deleting all the words occurring after the words "subsection (1)";

(b) by renumbering subsections (7), (8), (9) and (10) as subsections (8), (9), (10) and (11) respectively and by inserting after subsection (6) the following new subsection (7)—

" (7) The Court may from time to time vary or extend any order made under subsection (1) in such manner as the Court thinks fit, whether as to the period of the order or as to the terms and conditions on which or subject to which it is made."

Section 64  
of the Act  
amended

4. Section 64 of the Act is amended by adding the following new subsection thereto:

" (3) All proceedings for divorce, nullity of marriage or judicial separation pending in the Court at the commencement of this Act shall be heard and determined in accordance with the enactments repealed by Schedule 1 paragraph B as if this Act had not been passed, and the provisions of subsection (2) shall apply accordingly as if every decree made in any such proceedings was in force at the commencement of this Act."

Minor and  
consequen-  
tial amend-  
ments

5. The amendments specified in the second column of the Schedule shall respectively be made in the sections specified in the first column of the Schedule.

Commencement

6. This Act shall come into force on a date to be fixed by Proclamation of the Governor-General published in the *Gazette*.

## SCHEDULE

## MINOR AND CONSEQUENTIAL AMENDMENTS

<i>Section</i>	<i>Amendment</i>
21(1)	The words "under this Act" are inserted after the word "proceedings".
31(2)(d)	The words "26(1)(b)" are substituted for the words "26(b)".
50(1)	The words "welfare officer (probation)" are substituted for the words "probation officer" occurring in the last line thereof.
54(9)	A. The words "subsection (4)" are substituted for the words "subsection (3)". B. The words "subsection (6)" are substituted for the words "subsection (5)".

Passed in the House of Representatives this 2nd day of November, 1973.

G. R. LATOUR  
*Clerk of the House*

Passed in the Senate this 6th day of November, 1973.

J. E. CARTER  
*Clerk of the Senate*

