One other provision intended to promote reconciliation is the rule that normally requires all matters of ancillary relief to be instituted in the petition asking for the dissolution of the marriage. The need to make a claim for financial assistance, to set forth the financial position of the parties and so forth and to detail the provisions for maintenance, the education and welfare of the children and many other matters, all of which must be faced and solutions proposed, was intended to bring home to the petitioner the complications involved in the dissolution of marriage and to cause an overhasty party to think again and consider reconciliation.

Finally, the *Australian Matrimonial Causes Act* of 1959, section 71 and the *Matrimonial Causes Act* of 1965, section 12 both lay great emphasis on the necessity to safeguard the welfare of the children of divorced parents and have empowered the courts to withhold the decree *nisi* until they are satisfied that suitable arrangements have been made for the care of the children.

3. *Domicile*

As a federal country, Australia in the past, like Canada today, suffered from complications caused by the requirements of domicile for instituting divorce proceedings. The 1959 Act attempted to solve these difficulties by abolishing separate state domiciles in favour of a single Australian domicile. The 1959 Act provides that proceedings can only be instituted by a person domiciled in Australia. A deserted wife is deemed to be domiciled in Australia if she herself was domiciled in Australia immediately before her marriage; if her husband was domiciled in Australia immediately before he deserted her; or if she has been resident in Australia for three years immediately before her petition is presented. The last provision makes it possible for a wife to seek a divorce on the basis of three years residence alone, without any need to rely on domicile at all. While the petition will normally be heard in the courts of the state or territory where the petitioner is resident, the petition may be presented to courts of any state or territory, which have the authority either to hear it or to transfer it elsewhere.

V NEW ZEALAND DIVORCE LAW

1. *Grounds*

New Zealand has long been considered the pioneer in Commonwealth divorce legislation. The latest New Zealand Statute, the *Matrimonial Proceedings Act* of 1963, is the culmination of a series of statutes, and incorporates many changes made as long ago as 1920. This Act makes little change in the grounds available for Divorce in New Zealand. The only addition is that a husband may now divorce a wife who undergoes artificial insemination without his consent.

New Zealand was the first country in the Commonwealth to introduce the separation ground. In 1920, separation by agreement for three years or longer was made a ground for divorce. Since that date separation by agreement or court order has remained a ground. By the 1963 Act, however, the ground is a discretionary one. While it is unnecessary to establish that there is no prospect of reconciliation, it does forbid the granting of the decree if the respondent opposes