



# Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1937

## 1937 CHAPTER 9

### PART II

#### CAPACITY, PROPERTY, AND LIABILITIES OF MARRIED WOMEN; AND LIABILITIES OF HUSBANDS

#### **9 Capacity of married women.**

Subject to the provisions of this Part of this Act, ...<sup>F1</sup>, a married woman shall—

- (a) be capable of acquiring, holding, and disposing of, any property; and
- (b) be capable of rendering herself, and being rendered, liable in respect of any tort, contract, debt or obligation; and
- (c) be capable of suing and being sued, either in tort or in contract or otherwise; and
- (d) be subject to the law relating to bankruptcy and to the enforcement of judgments and orders,

in all respects as if she were a feme sole.

**F1** [1964 c.23 \(NI\)](#)

#### **10 Property of married women.**

(1) Subject to the provisions of this Part of this Act, all property which—

- (a) immediately before the commencement of this Act was the separate property of a married woman or held for her separate use in equity; or
- (b) belongs at the time of her marriage to a woman married after the commencement of this Act; or
- (c) after the commencement of this Act is acquired by or devolves upon a married woman,

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*Changes to legislation: There are currently no known outstanding effects for the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1937, PART II. (See end of Document for details)*

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shall belong to her in all respects as if she were a feme sole and may be disposed of accordingly:

*Proviso rep. by 1952 c. 19 (NI). Subs. (2)(3) rep. by 1952 c. 19 (NI)*

**11 Abolition of husband's liability for wife's torts and ante-nuptial contracts, debts and obligations.**

Subject to the provisions of this Part of this Act, the husband of a married woman shall not, by reason only of his being her husband, be liable—

- (a) in respect of any tort committed by her whether before or after the marriage, or in respect of any contract entered into, or debt or obligation incurred, by her before the marriage; or
- (b) to be sued, or made a party to any legal proceeding brought in respect of any such tort, contract, debt or obligation.

**12 Savings.**

(1) Nothing in this Part of this Act shall—

*Para. (a) rep. by SLR 1976; para. (b) spent*

- (c) enable any judgment or order against a married woman in respect of a contract entered into, or debt or obligation incurred, before the commencement of this Act, to be enforced in bankruptcy or to be enforced otherwise than against her property.

(2) For the avoidance of doubt it is hereby declared that nothing in this Part of this Act—

- (a) renders the husband of a married woman liable in respect of any contract entered into, or debt or obligation incurred, by her after the marriage in respect of which he would not have been liable if this Act had not been passed;
- (b) exempts the husband of a married woman from liability in respect of any contract entered into, or debt or obligation (not being a debt or obligation arising out of the commission of a tort) incurred, by her after the marriage in respect of which he would have been liable if this Act had not been passed;
- (c) prevents a husband and wife from acquiring, holding and disposing of, any property jointly or as tenants in common, or from rendering themselves, or being rendered, jointly liable in respect of any tort, contract, debt or obligation, and of suing and being sued either in tort or in contract or otherwise, in like manner as if they were not married;
- (d) prevents the exercise of any joint power given to a husband and wife.

*S. 13(1), with First Schedule, effects amendments; subs. (2) rep. by SLR (NI) 1952*

**Changes to legislation:**

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