



*Maintenance.*

A.D. 1942.

Amendment  
of 12 Geo. V.  
No. 40.

Section 23.

New sub-  
sections (5)  
and (6).

**2** The Principal Act is hereby amended by inserting at the end of section twenty-three the following new subsections (5) and (6) —

“(5) If, upon the hearing of any complaint under this Part, it appears to the court that the defendant, by reason of being engaged on war service, is unable to attend at such hearing the provisions of subsection (3) hereof shall take effect as if he had denied on oath the allegations as to paternity and submitted himself for cross-examination thereon.

“(6) For the purposes of subsection (5) hereof—

- I. “War service” means service in the defence force of the Commonwealth: and
- II. Any document purporting to be signed by a senior officer of the branch of the defence force in which the defendant is serving stating that the defendant is unable, by reason of war service, to attend the court on the hearing of the complaint shall be evidence, until the contrary is proved, that he is so unable to attend.”.