

ELIZABETH II



1968 CHAPTER 36

An Act to amend the enactments relating to matrimonial, guardianship and affiliation proceedings so far as they limit the weekly rate of the maintenance payments which may be ordered by magistrates' courts.

[3rd July 1968]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The enactments described in the Schedule to this Act shall have effect subject to the amendments specified in the second column of that Schedule, being amendments removing the limits of fifty shillings and seven pounds ten shillings imposed by those enactments upon the weekly rate of the payments for the maintenance of a child, and for the maintenance of a party to a marriage, which may be required by order of a magistrates' court thereunder.

Increase of maximum payments for children.

2. Any order made by a magistrates' court before the date of the commencement of this Act may be varied so as to include, from the date of the variation, provision for the payment of such increased sums as would have been lawful if the order had been made after the first mentioned date.

Supplementary.

3.—(1) This Act may be cited as the Maintenance Orders Act 1968.

Short title, extent, commencement and repeal.

(2) This Act does not extend to Scotland or Northern Ireland.

(3) This Act shall come into force at the expiration of the period of one month beginning with the day on which it is passed.

(4) Section 15 of the Matrimonial Proceedings (Magistrates' Courts) Act 1960 is hereby repealed.

1960 c. 48.

Section 1.

SCHEDULE

ENACTMENTS AMENDED

- The Guardianship of Infants Act 1925.
(15 & 16 Geo. 5. c. 45.) In section 7, in subsection (1), paragraph (c) of the proviso shall be omitted.
- The Affiliation Proceedings Act 1957.
(5 & 6 Eliz. 2. c. 55.) In section 4, in paragraph (a) of subsection (2), the words "not exceeding fifty shillings a week" shall be omitted.
- The Maintenance Orders Act 1958.
(6 & 7 Eliz. 2. c. 39.) In section 4, in subsection (3), for the words from "whichever" to the end there shall be substituted the words "the rate of payments specified by the order as made or last varied by the original court".
- The Matrimonial Proceedings (Magistrates' Courts) Act 1960.
(8 & 9 Eliz. 2. c. 48.) In section 2, in paragraphs (b) and (c) of subsection (1), the words "not exceeding seven pounds ten shillings" shall be omitted; and in paragraph (h) of that subsection for the words from "payments by way of a weekly sum" to "fifty shillings" there shall be substituted the words "weekly payments".
- The Matrimonial Causes Act 1965.
(1965 c. 72.) In section 24, in paragraph (a) of subsection (2), the words "at a rate not exceeding seven pounds ten shillings a week" and the words "at a rate not exceeding fifty shillings a week in respect of each such child" shall be omitted; and in paragraph (b) of that subsection for the words from "at rates" to "rate aforesaid" there shall be substituted the words "an order increasing".

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