



Maintenance Orders Act 1958

1958 CHAPTER 39 6 and 7 Eliz 2

PART I

REGISTRATION, ENFORCEMENT AND VARIATION OF CERTAIN MAINTENANCE ORDERS

2 Registration of orders. **E+W**

- (1) A person entitled to receive payments under a High Court [^{F1}order may apply to the High Court for registration of the order in the family court, and the High Court] may, if it thinks fit, grant the application.
- (2) Where an application for the registration of such an order is granted—
 - (a) no proceedings shall be begun, and no writ, warrant or other process shall be issued, for the enforcement of the order before the registration of the order or the expiration of the prescribed period from the grant of the application, whichever first occurs; and
 - (b) the [^{F2}High Court] shall, on being satisfied within the period aforesaid by the person who made the application that no such proceedings or process begun or issued before the grant of the application remain pending or in force, cause a certified copy of the order to be [^{F3}sent to the family court];but if at the expiration of the period aforesaid the [^{F2}High Court] has not been so satisfied, the grant of the application shall become void.

^{F4}(3)

^{F4}[^{F5}(3A)

^{F4}(3B)]

^{F4}(4)

- (5) [^{F6}An officer of the family court] who receives a certified copy of an order sent to [^{F7}the court] under this section shall cause the order to be registered in that court.

^{F8F9}[(6)

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(6ZA) Where a High Court^{F10} ... order is registered under this Part of this Act in [^{F11}the family] court, then—

- (a) if a means of payment order (within the meaning of section 1(7) of the Maintenance Enforcement Act 1991) has effect in relation to the order in question, it shall continue to have effect after registration;^{F12} ...

^{F12}(b)

^{F13}(6ZB)

(6ZC) Where by virtue of the provisions of this section^{F14} ... payments under an order cease to be or become payable to [^{F15}the family court], the person liable to make the payments shall, until he is given the prescribed notice to that effect, be deemed to comply with the order if he makes payments in accordance with the order and any order under subsection (6ZA)(b) of this section of which he has received such notice.]

^{F16}(6A) In this section—

“High Court order” includes a maintenance order deemed to be made by the High Court by virtue of section 1(2) above,^{F17} ...
^{F17} ...]

- (7) In this section “certified copy” in relation to an order of a court means a copy certified by the proper officer of the court to be a true copy of the order or of the official record thereof.

Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only.

Textual Amendments

- F1** Words in s. 2(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 5\(2\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F2** Words in s. 2(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 5\(3\)\(a\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F3** Words in s. 2(2)(b) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 5\(3\)\(b\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F4** S. 2(3)-(4) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 5\(4\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F5** S. 2(3A)(3B) inserted by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\), ss. 37\(1\), 52, Sch. 11 Pt. I para. 2\(3\)](#)
- F6** Words in s. 2(5) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 5\(5\)\(a\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))
- F7** Words in s. 2(5) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 10 para. 5\(5\)\(b\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954, art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956, arts. 3-11](#))

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- F8** S. 2(6) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(4\)](#) (with [Sch. 10 para. 3](#)); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F9** S. 2(6)-(6ZC) substituted (E.W.) (1.4.1992) for s. 2(6) by [Maintenance Enforcement Act 1991 \(c. 17\)](#), [SIF 49:3](#), s. 10, [Sch. 1 para. 7](#); [S.I. 1992/455](#), art. 2.
- F10** Words in s. 2(6ZA) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(6\)\(a\)\(i\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F11** Words in s. 2(6ZA) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(6\)\(a\)\(ii\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F12** S. 2(6ZA)(b) and preceding word omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(6\)\(b\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F13** S. 2(6ZB) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(7\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F14** Words in s. 2(6ZC) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(8\)\(a\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F15** Words in s. 2(6ZC) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(8\)\(b\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F16** S. 2(6A) added by [Administration of Justice Act 1977 \(c. 38\)](#), [SIF 37](#), s. 3, [Sch. 3 para. 2](#), with effect in relation to the enforcement in one part of the United Kingdom of maintenance orders made in another part.
- F17** Words in s. 2(6A) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 5\(9\)](#); [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Modifications etc. (not altering text)

- C2** Pt.I (ss. 1–5) applied by [Administration of Justice Act 1977 \(c. 38\)](#), [SIF 37](#), s. 3, [sch. 3 para. 10](#)
- C3** S. 2 (except subsection (6A)) modified by [Civil Jurisdiction and Judgments Act 1982 \(c. 27\)](#), [SIF 45:3](#), [ss. 36\(3\)](#), 52
- C4** S. 2 extended by [Social Security Act 1986 \(c. 50\)](#), [SIF 113:1](#), [s. 24B\(4\)\(a\)\(ii\)](#) (as inserted by [Social Security Act 1990 \(c. 27\)](#), [SIF 113:1](#)), [s. 8\(1\)](#)

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^{F4}(3)

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Changes and effects yet to be applied to :

- s. 2 amended by [1999 c. 22 Sch. 13 para. 2526](#)
- s. 2 repealed in part by [1999 c. 22 s. 97\(1\)Sch. 15 Pt. 5\(8\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))