



Maintenance Orders Act 1950

1950 CHAPTER 37 14 Geo 6

PART II

ENFORCEMENT

16 Application of Part II.

- (1) Any order to which this section applies (in this Part of this Act referred to as a maintenance order) made by a court in any part of the United Kingdom may, if registered in accordance with the provisions of this Part of this Act in a court in another part of the United Kingdom, be enforced in accordance with those provisions in that other part of the United Kingdom.
- (2) This section applies to the following orders, that is to say—
 - (a) an order for alimony, maintenance or other payments made or deemed to be made by a court in England under any of the following enactments:—
 - [^{F1}(i) sections 15 to 17, 19 to 22, 30, 34 and 35 of the ^{M1}Matrimonial Causes Act 1965 and sections 22, 23(1), (2) and (4) and 27 of the ^{M2}Matrimonial Causes Act 1973][^{F2}and section 14 or 17 of the Matrimonial and Family Proceedings Act 1984];
 - [^{F3}(ii) Part I of the ^{M3}Domestic Proceedings and Magistrates' Courts Act 1978];
 - [^{F4}(iii) Schedule 1 to the Children Act 1989]
 - (iv) ^{F5}
 - (v) [^{F6}paragraph 23 of Schedule 2 to the Children Act 1989][^{F7}, or section forty-three of the ^{M4}National Assistance Act 1948];
 - [^{F8}(vi) section 18 of the ^{M5}Supplementary Benefits Act 1976 . . . ^{F9};
 - (vi) ^{F10}
 - [^{F11}(vii)]
 - [^{F12}(viii) [^{F13}section 106 of the Social Security Administration Act 1992] . . . ^{F14};
 - [^{F15}(ix) Part 1, 8 or 9 of Schedule 5 to the Civil Partnership Act 2004, Schedule 6 to that Act or paragraph 5 or 9 of Schedule 7 to that Act;]

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- (b) a decree for payment of aliment granted by a court in Scotland, including—
- (i) an order for the payment of an annual or periodical allowance under section two of the ^{M6}Divorce (Scotland) Act 1938 [^{F16}an order for the payment of a periodic allowance [^{F17}or a capital sum] under section 26 of the ^{M7}Succession (Scotland) Act 1964 or section 5 of the ^{M8}Divorce (Scotland) Act 1976][^{F18}or section 29 of the Matrimonial and Family Proceedings Act 1984]; [^{F19}or an order for financial provision in the form of a monetary payment under section 8 of the Family Law (Scotland) Act 1985];
 - (ii) an order for the payment of weekly or periodical sums under subsection (2) of section three or subsection (4) of section five of the ^{M9}Guardianship of Infants Act 1925;
 - (iii) an order for the payment of sums in respect of aliment under subsection (3) of section one of the ^{M10}Illegitimate Children (Scotland) Act 1930;
 - (iv) a decree for payment of aliment under section forty-four of the ^{M11}National Assistance Act 1948, or under section twenty-six of the ^{M12}Children Act 1948; and
 - [^{F20}(v) ^{F21}an order under section forty-three of the ^{M13}National Assistance Act 1948;]
 - [^{F22}(vi) a contribution order under section 80 of, or a decree or an order made under section 81 of, the ^{M14}Social Work (Scotland) Act 1968;]
 - [^{F23}(vii) an order for the payment of weekly or other periodical sums under subsection (3) of section 11 of the ^{M15}Guardianship Act 1973;]
 - [^{F24}(viii) an order made on an application under [^{F25}section 18 or 19(8)] of the ^{M16}Supplementary Benefits Act 1976;]
 - [^{F26}(ix) an order made on an application under [^{F13}section 106 of the Social Security Administration Act 1992];]
 - [^{F27}(x) an order made on an application under Schedule 11 to the Civil Partnership Act 2004;]
- (c) an order for alimony, maintenance or other payments made by a court in Northern Ireland under or by virtue of any of the following enactments:—
- (i) subsection (2) of section seventeen, subsections (2) to (7) of section nineteen, subsection (2) of section twenty, section twenty-two or subsection (1) of section twenty-eight of the ^{M17}Matrimonial Causes Act (Northern Ireland) 1939;
 - ^{F28}[(ii) Schedule 1 to the Children (Northern Ireland) Order 1995;]
 - ^{F29}(iii)
 - [^{F30}(iv) [^{F31}Article 41 of the Children (Northern Ireland) Order 1995] or Article 101 of the Health and Personal Social Services (Northern Ireland) Order 1972;]
 - [^{F32}(v) any enactment of the Parliament of Northern Ireland containing provisions corresponding with section 22(1), 34 or 35 of the ^{M18}Matrimonial Causes Act 1965, with section 22, 23(1), (2) or (4) or 27 of the ^{M19}Matrimonial Causes Act 1973, ^{F33}...]
 - [^{F34}(vi) Article 23 or 24 of the Supplementary Benefits (Northern Ireland) Order 1977.]
 - [^{F35}(vii) the Domestic Proceedings (Northern Ireland) Order 1980.]

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- [^{F36}(viii) any enactment applying in Northern Ireland and corresponding to [^{F13}section 106 of the Social Security Administration Act 1992];]
[^{F37}(ix) Article 18 or 21 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989;]
[^{F38}(x) Part 1, 7 or 8 of Schedule 15 to the Civil Partnership Act 2004, Schedule 16 to that Act or paragraph 5 or 9 of Schedule 17 to that Act;]
- (3) For the purposes of this section, any order made before the commencement of the ^{M20}Matrimonial Causes Act (Northern Ireland) 1939, being an order which, if that Act had been in force, could have been made under or by virtue of any provision of that Act, shall be deemed to be an order made by virtue of that provision.

Textual Amendments

- F1** S. 16(2)(a)(i) substituted by [Matrimonial Causes Act 1973 \(c. 18\)](#), **Sch. 2 para. 3**
- F2** Words added by [Matrimonial and Family Proceedings Act 1984 \(c. 42, SIF 49:3\)](#), ss. 46(1), 48, **Sch. 1 para. 1(a)**
- F3** S. 16(2)(a)(ii) substituted by [Domestic Proceedings and Magistrates' Courts Act 1978 \(c. 22\)](#), s. 89, **Sch. 2 para. 13**
- F4** S. 16(2)(a)(iii) substituted (14.10.1991) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 116, **Sch. 16 para. 35(a)**
- F5** S. 16(2)(a)(iv) repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), ss. 33(1)(4), Sch. 2 para. 12(b), **Sch. 4**
- F6** Words substituted (14.10.1991) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 116, **Sch. 16 para. 35(b)**
- F7** Words in s. 16(2)(a)(v) repealed (E.W.) (6.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), **Sch. 15 Pt. 5** (with Sch. 13); S.I. 2009/462, art. 4(c); S.I. 2009/631, art. 2(c)
- F8** S. 16(2)(a)(vi) inserted by [Supplementary Benefits Act 1976 \(c. 71\)](#), **Sch. 7 para. 13(a)**.
- F9** Words repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), ss. 33(1)(4), Sch. 2 para. 12(d), **Sch. 4**
- F10** S. 16(2)(a)(vi), (which was inserted by [Children Act 1975 \(c. 72\)](#), s. 108(2), **Sch. 3 para. 11**) repealed by [Family Law Reform Act 1987](#), (c. 42, SIF 49:7), ss. 33(1)(4), Sch. 2 para. 12(c), Sch. 4
- F11** S. 16(2)(a)(vii) (which was inserted by [Children Act 1975 \(c. 72\)](#), s. 108(2), **Sch. 3 para. 11**) repealed (14.10.1991) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 125(7), **Sch. 20**
- F12** S. 16(2)(a)(viii) inserted by [Social Security Act 1986 \(c. 50, SIF 113:1\)](#), ss. 86, 87, 88, **Sch. 10 para. 39(a)**.
- F13** Words in s. 16(2) substituted (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 4, 7(2), **Sch. 2 para. 3(1)(d)-(f)**.
- F14** Words repealed by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), ss. 33(1)(4), Sch. 2 para. 12(e), **Sch. 4**
- F15** S. 16(2)(a)(ix) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 18(2)**; S.I. 2005/3175, art. 2(2)
- F16** Words substituted by [Divorce \(Scotland\) Act 1976 \(c. 39\)](#). Sch. 1 para. 1
- F17** Words inserted by [Administration of Justice Act 1977 \(c. 38\)](#), s. 3, **Sch. 3 para. 12**
- F18** Words added by [Matrimonial and Family Proceedings Act 1984 \(c. 42, SIF 49:3\)](#), ss. 46(1), 48(2)(3), **Sch. 1 para. 1(b)**
- F19** Words added by [Family Law \(Scotland\) Act 1985 \(c. 37, SIF 49:3\)](#), ss. 28(1), 29(4), **Sch. 1 para. 3**
- F20** S. 16(2)(b)(v) repealed (E.W.) (6.4.2009) by [Health and Social Care Act 2008 \(c. 14\)](#), s. 170(3)(4), **Sch. 15 Pt. 5** (with Sch. 13); S.I. 2009/462, art. 4(c); S.I. 2009/631, art. 2(c)
- F21** Words repealed by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\)](#), ss. 52, 54, **Sch. 14**
- F22** S. 16(2)(b)(vi) inserted by [Social Work \(Scotland\) Act 1968 \(c. 49\)](#), **Sch. 8 para. 34**
- F23** S. 16(2)(b)(vii) inserted by [Guardianship Act 1973 \(c. 29\)](#), **Sch. 5 para. 4**

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- F24** S. 16(2)(b)(viii) inserted by **Supplementary Benefits Act 1976 (c. 71), Sch. 7 para. 13(b)**
- F25** Words substituted by **Social Security and Housing Benefits Act 1982 (c. 24, SIF 113:1), s. 48(5), Sch. 4 para. 2**
- F26** S.16 (2)(b)(ix) inserted by **Social Security Act 1986 (c. 50, SIF 113:1), ss. 86(1), 87, 88, Sch. 10 Pt. II para. 39(b)**
- F27** S. 16(2)(b)(x) inserted (5.12.2005) by **Civil Partnership Act 2004 (c. 33), s. 263(10)(b), Sch. 27 para. 18(3); S.I. 2005/3175, art. 2(2)**
- F28** S. 16(2)(c)(ii) substituted (4.11.1996) by **S.I. 1995/756, art. 2(4)(a); S.R. 1996/297, art. 3**
- F29** S. 16(2)(c)(iii) repealed (4.11.1996) by **S.I. 1995/756, art. 15, Sch.; S.R. 1996/297, art. 3**
- F30** S. 16(2)(c)(iv) substituted by **S.I. 1977/2158, art. 2(1)(f)(ii)(3)**
- F31** Words in s. 16(2)(c)(iv) substituted (4.11.1996) by **S.I. 1995/756, art. 2(4)(b); S.R. 1996/297, art. 3**
- F32** S. 16(2)(c)(v) substituted by **Matrimonial Causes Act 1973 (c. 18), Sch. 2 para. 3**
- F33** Words in s. 16(2)(c)(v) repealed (4.11.1996) by **S.I. 1995/756, art. 15, Sch.; S.R. 1996/297, art. 3**
- F34** S. 16(2)(c)(vi) substituted by **S.I. 1977/2158, art. 2(1)(f)(iii)(3)**
- F35** S. 16(2)(c)(vii) inserted by **S.I. 1980/564, art. 3(4)**
- F36** S. 16(c)(viii) inserted by **Social Security Act 1986 (c. 50, SIF 113:1), ss. 86(1), 87, 88, Sch. 10 Pt. II para. 39(c)**
- F37** S. 16(c)(ix) inserted by **S.I. 1989/678, art. 2**
- F38** S. 16(2)(c)(x) inserted (5.12.2005) by **Civil Partnership Act 2004 (c. 33), s. 263(10)(b), Sch. 27 para. 18(4); S.I. 2005/3175, art. 2(2)**

Modifications etc. (not altering text)

- C1** S. 16 extended by **Matrimonial Proceedings (Children) Act 1958 (c. 40), s. 17** and, until 14.10.1991, **Family Law Reform Act 1969 (c. 46), ss. 6(7), 28(4)(c)**

Marginal Citations

- M1** 1965 c. 72.
M2 1973 c. 18.
M3 1978 c. 22.
M4 1948 c. 29.
M5 1976 c. 71.
M6 1938 c. 50.
M7 1964 c. 41.
M8 1976 c. 39.
M9 1925 c. 45.
M10 1930 c. 33.
M11 1948 c. 29.
M12 1948 c. 43.
M13 1948 c. 29.
M14 1968 c. 49.
M15 1973 c. 29.
M16 1976 c. 71.
M17 1939 c. 13(N.I.)
M18 1965 c. 72.
M19 1973 c. 18.
M20 1939 c. 13(N.I.)

Changes to legislation:

There are currently no known outstanding effects for the Maintenance Orders Act 1950, Section 16.