

MAINTENANCE OF DEPENDANTS

1959 No. 377

The Maintenance Orders (Facilities for Enforcement) Order, 1959

Made - - - - - *11th March, 1959*

At the Court at Buckingham Palace, the 11th day of March, 1959

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty is satisfied that reciprocal provisions have been made by the legislatures of the countries and territories specified in the First Schedule hereto for the enforcement within those countries and territories of maintenance orders made by courts within England and Northern Ireland:

Now, therefore, Her Majesty, by virtue and in exercise of the power conferred on Her by section 12 of the Maintenance Orders (Facilities for Enforcement) Act, 1920(a), and section 19 of the Maintenance Orders Act, 1958(b), and of all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The Maintenance Orders (Facilities for Enforcement) Act, 1920, shall extend to the countries and territories specified in the First Schedule hereto.

2. The Orders extending the Maintenance Orders (Facilities for Enforcement) Act, 1920, to the territories mentioned in Part 1 of the Second Schedule hereto and the Orders specified in Part 2 of the Second Schedule hereto are hereby revoked.

3.—(1) This Order may be cited as the Maintenance Orders (Facilities for Enforcement) Order, 1959.

(2) The Interpretation Act, 1889(c), shall apply for the purposes of interpreting this Order as it applies for the purpose of interpreting an Act of Parliament.

W. G. Agnew.

FIRST SCHEDULE

Aden Colony.

Alberta.

Australia, Territory for the Seat of Government of the Commonwealth.

Territory of Cocos (Keeling) Islands.

Territory of Christmas Island (Indian Ocean).

Bahamas.

Barbados.

Basutoland.

Bechuanaland Protectorate.

Bermuda.

British Columbia.

British Guiana.

(a) 10 & 11 Geo. 5. c. 33.

(b) 6 & 7 Eliz. 2. c. 39.

(c) 52 & 53 Vict. c. 63.

British Honduras.
 British Solomon Islands Protectorate.
 Brunei.
 Cayman Islands.
 Ceylon.
 Cyprus.
 Dominica.
 Falkland Islands and Dependencies.
 Federation of Malaya.
 Fiji.
 Gambia Colony.
 Ghana.
 Gibraltar.
 Gilbert and Ellice Islands.
 Grenada.
 Bailiwick of Guernsey.
 Hong Kong.
 India.
 Isle of Man.
 Jamaica.
 Jersey.
 Kenya Colony.
 Kenya Protectorate.
 Leeward Islands.
 Antigua.
 Montserrat.
 St. Christopher and Nevis and Anguilla.
 Virgin Islands.
 Malta.
 Manitoba.
 Mauritius.
 New Brunswick.
 New South Wales.
 New Zealand.
 Newfoundland and Prince Edward Island.
 Nigeria, excluding the Cameroons.
 Norfolk Island.
 North Borneo.
 Northern Rhodesia Protectorate.
 Northern Territory of Australia.
 North West Territories of Canada.
 Nova Scotia.
 Nyasaland Protectorate.
 Ontario.
 Pakistan.
 Papua.
 Queensland.
 St. Helena.
 St. Lucia.
 St. Vincent.
 Sarawak.
 Saskatchewan.
 Seychelles.
 Sierra Leone.
 Sierra Leone Protectorate.
 Singapore.
 Somaliland Protectorate.
 South Africa, Union of.
 South Australia.
 Southern Rhodesia.
 Swaziland Protectorate.

Tasmania.
 Trinidad and Tobago.
 Turks and Caicos Islands.
 Uganda Protectorate.
 Victoria.
 Western Australia.
 Yukon Territory.
 Zanzibar Protectorate.

SECOND SCHEDULE

PART 1

Dominica, Grenada, Leeward Islands and Mauritius. Made the 27th day of May, 1921(a).
 Malta and Straits Settlements. Made the 27th day of June, 1921(b).
 Nyasaland and Somaliland Protectorates. Made the 25th day of July, 1921(c).
 St. Vincent, Nigeria and Cyprus. Made the 10th day of August, 1921(d).
 Nigeria and Northern Territories of the Gold Coast. Made the 10th day of August, 1921(e).
 Isle of Man. Made the 11th day of October, 1921(f).
 Ashanti, Ceylon, Hong Kong, Gibraltar and St. Lucia. Made the 11th day of October, 1921(g).
 Southern Rhodesia and the Uganda Protectorate. Made the 11th day of October, 1921(h).
 Gold Coast, Gambia and Trinidad and Tobago. Made the 13th day of December, 1921(i).
 Basutoland and Falkland Islands. Made the 6th day of February, 1922(j).
 British India. Made the 6th day of February, 1922(k).
 Northern Rhodesia, Bechuanaland, Swaziland and Zanzibar Protectorates. Made the 6th day of February, 1922(l).
 Queensland. Made the 6th day of February, 1922(m).
 Western Australia and Tasmania. Made the 21st day of April, 1922(n).
 New Zealand. Made the 20th day of June, 1922(o).
 Bermuda and Gilbert and Ellice Islands. Made the 20th day of June, 1922(p).
 Fiji and Seychelles. Made the 13th day of October, 1922(q).
 British Solomon Islands Protectorate. Made the 13th day of October, 1922(r).
 Barbados, British Guiana, Kenya and Sierra Leone. Made the 16th day of April, 1923(s).

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- (a) S.R. & O. 1921/962 (Rev. XIII, p. 102: 1921, p. 523).
 (b) S.R. & O. 1921/1136 (Rev. XIII, p. 103: 1921, p. 524).
 (c) S.R. & O. 1921/1244 (Rev. XIII, p. 104: 1921, p. 525).
 (d) S.R. & O. 1921/1395 (Rev. XIII, p. 104: 1921, p. 526).
 (e) S.R. & O. 1921/1396 (Rev. XIII, p. 105: 1921, p. 527).
 (f) S.R. & O. 1921/1640 (Rev. XIII, p. 106: 1921, p. 528).
 (g) S.R. & O. 1921/1641 (Rev. XIII, p. 107: 1921, p. 529).
 (h) S.R. & O. 1921/1642 (Rev. XIII, p. 107: 1921, p. 530).
 (i) S.R. & O. 1921/1935 (Rev. XIII, p. 108: 1921, p. 531).
 (j) S.R. & O. 1922/128 (Rev. XIII, p. 109: 1922, p. 518).
 (k) S.R. & O. 1922/127 (1922, p. 517).
 (l) S.R. & O. 1922/129 (Rev. XIII, p. 109: 1922, p. 519).
 (m) S.R. & O. 1922/130 (Rev. XIII, p. 110: 1922, p. 520).
 (n) S.R. & O. 1922/468 (Rev. XIII, p. 111: 1922, p. 521).
 (o) S.R. & O. 1922/721 (Rev. XIII, p. 111: 1922, p. 522).
 (p) S.R. & O. 1922/722 (Rev. XIII, p. 112: 1922, p. 523).
 (q) S.R. & O. 1922/1207 (Rev. XIII, p. 113: 1922, p. 524).
 (r) S.R. & O. 1922/1208 (Rev. XIII, p. 113: 1922, p. 525).
 (s) S.R. & O. 1923/474 (Rev. XIII, p. 114: 1923, p. 445).

- Kenya and Sierra Leone Protectorates. Made the 16th day of April, 1923(a).
 Northern Territory of Australia. Made the 16th day of April, 1923(b).
 South Australia. Made the 16th day of April, 1923(c).
 Bahamas, British Honduras, St. Helena and Norfolk Island. Made the 11th day of October, 1923(d).
 South Africa. Made the 11th day of October, 1923(e).
 New South Wales. Made the 16th day of January, 1924(f).
 Papua. Made the 25th day of June, 1924(g).
 Jamaica. Made the 9th day of October, 1924(h).
 Federated Malay States, Perak, Selangor, Negri Sembilan and Pahang. Made the 30th day of April, 1926(i).
 Victoria. Made the 1st day of June, 1926(j).
 Australia (Territory for the Seat of Government of the Commonwealth). Made the 8th day of July, 1927(k).
 Cayman Islands. Made the 31st day of January, 1936(l).
 Aden. Made the 5th day of May, 1939(m).
 Malay Protected States, Brunei, Johore, Kedah, Kelantan, Perlis and Trengganu. Made the 6th day of February, 1940(n).
 Sarawak. Made the 30th day of April, 1940(o).
 Saskatchewan, British Columbia and Manitoba. Made the 6th day of November, 1946(p).
 Alberta. Made the 11th day of June, 1947(q).

PART 2

- Maintenance Orders (Facilities for Enforcement) (North Borneo) Order in Council, 1948(r).
 Maintenance Orders (Facilities for Enforcement) (Ontario) Order in Council, 1949(s).
 Maintenance Orders (Facilities for Enforcement) (Yukon Territory) Order, 1951(t).
 Maintenance Orders (Facilities for Enforcement) (Nova Scotia) Order, 1951(u).
 Maintenance Orders (Facilities for Enforcement) (Newfoundland and Prince Edward Island) Order, 1952(v).
 Maintenance Orders (Facilities for Enforcement) (New Brunswick) Order, 1952(w).
 Maintenance Orders (Facilities for Enforcement) (Northwest Territories) Order, 1952(x).
 Maintenance Orders (Facilities for Enforcement) (Jersey) Order, 1953(y).
 Maintenance Orders (Facilities for Enforcement) (Guernsey) Order, 1955(z).

- (a) S.R. & O. 1923/475 (Rev. XIII, p. 115: 1923, p. 446).
 (b) S.R. & O. 1923/476 (Rev. XIII, p. 116: 1923, p. 448).
 (c) S.R. & O. 1923/477 (Rev. XIII, p. 116: 1923, p. 449).
 (d) S.R. & O. 1923/1285 (Rev. XIII, p. 117: 1923, p. 450).
 (e) S.R. & O. 1923/1286 (Rev. XIII, p. 118: 1923, p. 451).
 (f) S.R. & O. 1924/82 (Rev. XIII, p. 119: 1924, p. 629).
 (g) S.R. & O. 1924/760 (Rev. XIII, p. 120: 1924, p. 630).
 (h) S.R. & O. 1924/1222 (Rev. XIII, p. 120: 1924, p. 631).
 (i) S.R. & O. 1926/558 (Rev. XIII, p. 121: 1926, p. 818).
 (j) S.R. & O. 1926/586 (Rev. XIII, p. 122: 1926, p. 819).
 (k) S.R. & O. 1927/659 (Rev. XIII, p. 123: 1927, p. 729).
 (l) S.R. & O. 1936/81 (Rev. XIII, p. 124: 1936 I, p. 1770).
 (m) S.R. & O. 1939/522 (Rev. XIII, p. 125: 1939 II, p. 1969).
 (n) S.R. & O. 1940/201 (Rev. XIII, p. 125: 1940 I, p. 522).
 (o) S.R. & O. 1940/661 (Rev. XIII, p. 126: 1940 I, p. 523).
 (p) S.R. & O. 1946/1908 (Rev. XIII, p. 127: 1946 I, p. 987).
 (q) S.R. & O. 1947/1170 (Rev. XIII, p. 127: 1947 I, p. 1265).
 (r) S.I. 1948/2579 (Rev. XIII, p. 128: 1948 I, p. 1820).
 (s) S.I. 1949/602 (1949 I, p. 2501).
 (t) S.I. 1951/146 (1951 I, p. 1266).
 (u) S.I. 1951/429 (1951 I, p. 1265).
 (v) S.I. 1952/154 (1952 II, p. 1687).
 (w) S.I. 1952/454 (1952 II, p. 1687).
 (x) S.I. 1952/1220 (1952 II, p. 1688).
 (y) S.I. 1953/1215 (1953 I, p. 1013).
 (z) S.I. 1955/1395 (1955 I, p. 1126).

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

The Maintenance Orders (Facilities for Enforcement) Act, 1920, makes provision for the enforcement in England and Northern Ireland of maintenance orders made by a court in any part of Her Majesty's dominions outside the United Kingdom, or in a British Protectorate, to which the Act has been extended. The Act has been extended by Order in Council from time to time to various parts of Her Majesty's dominions, and the principal purpose of the present Order is to consolidate in one Order the provisions of those earlier Orders in Council.

The Act of 1920 was extended by Order in Council to the territories of the Gold Coast except to the United Kingdom Trust Territory of Togoland. By virtue of the Ghana Independence Act, 1956, Togoland became part of Ghana and part of Her Majesty's dominions. An Ordinance of the legislature of the Gold Coast made provision for the enforcement of maintenance orders made in England and Northern Ireland and that Ordinance is now in force in the whole of Ghana. Accordingly, a further purpose of the present Order is to extend the Act to the whole of Ghana including Togoland.

The present Order also extends the Act to the Dependencies of the Falkland Islands to which it had not previously been extended.