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STATUTORY INSTRUMENTS

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**1977 No. 1890 (L. 28)**

**MAGISTRATES' COURTS**

**The Magistrates' Courts (Maintenance Orders Act 1958) (Amendment) Rules 1977**

<i>Made</i>	- - - -	<i>14th November 1977</i>
<i>Laid before Parliament</i>		<i>24th November 1977</i>
<i>Coming into Operation</i>		<i>1st January 1978</i>

The Lord Chancellor, in exercise of the powers conferred on him by section 15 of the Justices of the Peace Act 1949, as extended by section 122 of the Magistrates' Courts Act 1952, after consultation with the Rule Committee appointed under the said section 15, hereby makes the following Rules:—

**1.** These Rules may be cited as the Magistrates' Courts (Maintenance Orders Act 1958) (Amendment) Rules 1977 and shall come into operation on 1st January 1978.

**2.** The Magistrates' Courts (Maintenance Orders Act, 1958) Rules 1959(1), as amended(2), shall be further amended by substituting in Rule 9 of those Rules for the words “High Court order” the words “High Courts or country court order.”

Dated 14th November 1977

*Elwyn-Jones C*

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(1) (1959 I, p. 1646).

(2) There are no relevant amendments.

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### EXPLANATORY NOTE

These Rules amend Rule 9 of the Magistrates' Courts (Maintenance Orders Act, 1958) Rules 1959 which extends the application of Rule 34 of the Magistrates' Courts Rules 1968 (which relates to jurisdiction to hear certain complaints) to complaints, for the variation of High Court maintenance orders registered in magistrates' courts. These Rules further extend the application of Rule 34 to complaints for the variation of county court maintenance orders registered in magistrates' courts. These Rules therefore enable a justice acting for one petty sessions area and in whose court the county court order is registered to send a complaint for its variation to the clerk of a court in another petty sessions area if the complaint could be more conveniently dealt with by that court.