
 S T A T U T O R Y I N S T R U M E N T S

1979 No. 1314

MAINTENANCE OF DEPENDANTS

**The Recovery of Maintenance (United States of America)
Order 1979**

Made - - - - 19th October 1979
Laid before Parliament 29th October 1979
Coming into Operation 1st January 1980

At the Court at Buckingham Palace, the 19th day of October 1979

Present,

The Queen's Most Excellent Majesty in Council

Whereas Her Majesty is satisfied that arrangements have been made in the States of the United States of America specified in the Schedule to this Order to ensure that applications by persons in the United Kingdom for the recovery of maintenance from persons in those States can be entertained by courts in those States:

And whereas Her Majesty is satisfied that in the interest of reciprocity it is desirable to ensure that applications by persons in those States for the recovery of maintenance from persons in the United Kingdom can be entertained by courts in the United Kingdom:

Now, therefore, Her Majesty, in exercise of the powers conferred upon Her by section 40 of the Maintenance Orders (Reciprocal Enforcement) Act 1972(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1.—(1) This Order may be cited as the Recovery of Maintenance (United States of America) Order 1979.

(2) This Order shall come into operation on 1st January 1980.

2. In this Order, unless the context otherwise requires—

“the Act” means the Maintenance Orders (Reciprocal Enforcement) Act 1972;

“specified State” means a State specified in the Schedule to this Order.

3.—(1) The provisions of Part II of the Act shall apply in relation to a specified State as they apply in relation to a convention country, subject to the modification set out in paragraph (2) below.

(2) After section 26(3) of the Act there shall be inserted the following subsection:—

“(3A) An application under subsection (1) or (2) above, for the purpose of recovering maintenance from a person in a specified State within the

meaning of the Recovery of Maintenance (United States of America) Order 1979, and a certificate signed by a justice of the peace or, where the applicant is residing in Scotland, the sheriff, to the effect that the application sets forth facts from which it may be determined that the respondent owes a duty to maintain the applicant and any other person named in the application and that a court in the specified State may obtain jurisdiction of the respondent or his property, shall be registered in the court in the prescribed manner by the appropriate officer or, in Scotland, by the sheriff clerk in the Maintenance Orders (Reciprocal Enforcement) Act 1972 register.”.

N. E. Leigh,
Clerk of the Privy Council.

Article 2

SCHEDULE

SPECIFIED STATES

Arizona	Nevada
Arkansas	New Hampshire
California	New Mexico
Colorado	New York
Connecticut	North Carolina
Florida	North Dakota
Idaho	Ohio
Illinois	Oklahoma
Indiana	Oregon
Kansas	Pennsylvania
Kentucky	Texas
Louisiana	Vermont
Maine	Virginia
Michigan	Washington
Minnesota	Wisconsin
Montana	Wyoming
Nebraska	

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order applies the provisions of Part II of the Maintenance Orders (Reciprocal Enforcement) Act 1972, to the American States listed in the Schedule to the Order, and makes the modification set out in Article 3(2).

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