
STATUTORY INSTRUMENTS

1983 No. 1125

**The Reciprocal Enforcement of Maintenance Orders
(Designation of Reciprocating Countries) Order 1983**

1. This Order may be cited as the Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 1983 and shall come into operation on 1st September 1983.
2. In this Order—
 - “the Act of 1972” means the Maintenance Orders (Reciprocal Enforcement) Act 1972;
 - “the Act of 1920” means the Maintenance Orders (Facilities for Enforcement) Act 1920;
 - “the Order of 1974” means the S.I. 1974/556 Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 1974(1)
 - “column (1)” and “column (2)” in Articles 3 and 5 below mean respectively columns (1) and (2) of the Schedule to this Order.
3. Each of the countries and territories specified in column (1) is hereby designated as a reciprocating country for the purposes of Part I of the Act of 1972 as regards maintenance orders of the description specified in respect of that country or territory in column (2).
4. Column (2) of the Schedule to the 1974 Order shall be varied as follows:—
 - (a) in the entry in respect of Manitoba for the words “other than provisional affiliation orders” there shall be substituted the words “generally”;
 - (b) for the entry in respect of New Zealand there shall be substituted the following entry:—

“Maintenance orders generally”

; and
 - (c) in the entry relating to Nova Scotia for the words “the said paragraph (b), and” in paragraph (a) there shall be substituted the words “paragraph (b) of the definition of “maintenance order” in section 21(1) of the Act of 1972 (orders for the payment of birth and funeral expenses of child), and”.
- 5.—(1) Sections 5, 12 to 15, 17, 18 and 21 of the Act of 1972 shall apply in relation to a maintenance order transmitted under section 2 or 3 of the Act of 1920 to one of the countries and territories specified in column (1), being an order of the description specified in respect of that country or territory in column (2) to which immediately before the coming into operation of this Order the Act of 1920 applied, as they apply in relation to a maintenance order sent to that country or territory in pursuance of section 2 of the Act of 1972 or made by virtue of section 3 or 4 of the Act of 1972 and confirmed by a competent court in that country or territory.
(2) Sections 8 to 21 of the Act of 1972 shall apply in relation to a maintenance order made in one of the countries and territories specified in column (1), being an order of the description specified in respect of that country or territory in column (2) to which immediately before the coming into operation of this Order the Act of 1920 applied and not being an order which immediately before that date is registered in the High Court or the High Court of Justice in Northern Ireland under section 1 of the Act of 1920, as they apply in relation to a registered order.

(1) to which there are amendments not relevant to this Order.

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(3) A maintenance order made by a court in one of the countries and territories specified in column (1) being an order of the description specified in respect of that country or territory in column (2) which has been confirmed by a court in England, Wales or Northern Ireland under section 4 of the Act of 1920 and is in force immediately before the coming into operation of this Order, shall be registered under section 7(5) of the Act of 1972 in like manner as if it had been confirmed by that court in England, Wales or Northern Ireland under subsection (2) of that section.

(4) Any proceedings brought under or by virtue of any provision of the Act of 1920 in a court in England, Wales or Northern Ireland which are pending immediately before the coming into operation of this Order, being proceedings affecting a person resident in one of the countries or territories specified in column (1), shall be continued as if they had been brought under or by virtue of the corresponding provision of the Act of 1972.

N.E. Leigh
Clerk of the Privy Council