

*Status: Point in time view as at 01/04/2000. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Cross Heading: The Maintenance Orders Act 1958 (c.39). (See end of Document for details)*

## SCHEDULES

### SCHEDULE 13

#### FUNCTIONS TRANSFERRED TO JUSTICES’ CHIEF EXECUTIVES

VALID FROM 01/04/2001

#### *The Maintenance Orders Act 1958 (c.39)*

- 25 The Maintenance Orders Act 1958 has effect subject to the following amendments.
- 26 (1) Section 2 (registration of orders) is amended as follows.
- (2) In subsection (2)(b) (procedure on application for registration of order), for “clerk of” substitute “ justices’ chief executive for ”.
- (3) In subsection (5) (registration of orders), for “or clerk of” substitute “ of, or justices’ chief executive for, ”.
- (4) In subsection (6) (effect on magistrates’ court order of registration in the High Court), for “the clerk of a magistrates’ court” (in both places) substitute “ a justices’ chief executive ”.
- (5) In subsection (6ZA)(b) (effect on High Court order or county court order of registration in magistrates’ court), for “the clerk of the court or the clerk of any other magistrates’ court” substitute “ a justices’ chief executive ”.
- (6) In subsection (6ZC) (payments under order becoming or ceasing to be payable to clerk of a magistrates’ court), for “the clerk of a magistrates’ court” substitute “ a justices’ chief executive ”.
- 27 In section 3(3A) (requirement of person liable under order to notify change of address to clerk of the court), for “clerk of” substitute “ justices’ chief executive for ”.
- 28 (1) Section 4(5B) (application of section 60 of the <sup>M1</sup>Magistrates’ Courts Act 1980) is amended as follows.
- (2) In paragraph (a), in the paragraph to be regarded as substituted for subsection (4)(b) of that section, for “the clerk of the court, or to the clerk of any other magistrates’ court,” substitute “ a justices’ chief executive ”.

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- (3) In paragraph (b) (words to be regarded as replaced in subsection (5) of that section), for “clerk” substitute “ justices’ chief executive for the court” ”.
- (4) In paragraph (e), in the subsection (9) to be regarded as substituted for subsections (9) and (10) of that section, for—
- (a) “the clerk of the court or the clerk of any other magistrates’ court”, and
  - (b) “the clerk of the court, or to the clerk of any other magistrates’ court.”,
- substitute “ a justices’ chief executive ”.

**Marginal Citations**

M1 1980 c.43.

- 29 (1) Section 5 (cancellation of registration) is amended as follows.
- (2) In subsection (5) (cancellation of registration of High Court or county court order), for “the clerk of a magistrates’ court” (in both places) substitute “ a justices’ chief executive ”.
- (3) In subsection (6)(b) (cancellation of registration of magistrates’ court order), for “clerk of” substitute “ justices’ chief executive for ”.
- 30 In section 18 (powers of magistrates to review committals), for “clerk of” (in each place) substitute “ justices’ chief executive for ”.
- 31 In section 20(1) (clerk of magistrates’ court entitled to receive payments for transmission to another)—
- (a) for “the clerk of a magistrates’ court” substitute “ a justices’ chief executive ”, and
  - (b) for “the clerk is” substitute “ a justices’ chief executive is ”.

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