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STATUTORY INSTRUMENTS

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**2008 No. 1202**

**The Reciprocal Enforcement of Maintenance Orders  
(Designation of Reciprocating Countries) Order 2008**

**Maintenance Orders registered under the 1920 Act**

- 4.—(1) In this Article—
- (a) “commencement date” means the date on which this Order comes into force;
  - (b) “registered” means registered in the High Court or the High Court of Justice in Northern Ireland under section 1 of the 1920 Act; and
  - (c) “relevant maintenance order” means an order, other than an order of affiliation, for the periodic payments of sums of money.
- (2) Paragraph (3) shall apply if—
- (a) a relevant maintenance order is transmitted under section 2 or 3 of the 1920 Act to Jersey; and
  - (b) immediately before the commencement date the 1920 Act applied to that order.
- (3) Where this paragraph applies, sections 5, 12 to 15, 17, 18 and 21 of the 1972 Act shall apply in relation to Jersey, as they apply in relation to a maintenance order of the same description—
- (a) sent to Jersey pursuant to section 2 of the 1972 Act;
  - (b) made under section 3 or 4 of the 1972 Act; and
  - (c) confirmed by a competent court in Jersey.
- (4) Paragraph (5) shall apply if—
- (a) a relevant maintenance order is transmitted under section 2 or 3 of the 1920 Act to Jersey; and
  - (b) immediately before the commencement date—
    - (i) the 1920 Act applied to that order; and
    - (ii) the order was not registered.
- (5) Where this paragraph applies, sections 8 to 21 of the 1972 Act shall apply in relation to a relevant maintenance order referred to under paragraph (1), as they apply in relation to a maintenance order of the same description made under the 1972 Act which is so registered.
- (6) Paragraph (7) shall apply if—
- (a) a relevant maintenance order has been confirmed by a court in England, Wales or Northern Ireland under section 4 of the 1920 Act; and
  - (b) is in force immediately before the commencement date.
- (7) Where this paragraph applies, a relevant maintenance order as referred to under paragraph (1) shall be registered under section 7(5) of the 1972 Act in the same manner as if it had been confirmed by that court in England, Wales or Northern Ireland under subsection (2) of that section.
- (8) Any proceedings brought under or by virtue of any provision of the 1920 Act in a court in England, Wales or Northern Ireland which are pending immediately before the commencement

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**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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date, being proceedings affecting a person resident in Jersey, shall be continued as if they had been brought under or by virtue of the corresponding provision of the 1972 Act.