

CHAPTER 257

THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT

THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) REGULATIONS

Arrangement of Regulations Regulation

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L.I. Gazette 14.6.1923.

THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) REGULATIONS MADE ON JUNE 6, 1923, UNDER SECTION 7 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT

1. SHORT TITLE. These Regulations may be cited as the Maintenance Orders (Facilities for Enforcement) Regulations.

2. WHERE COPY OF ORDER SHALL BE SENT. The copy of an order made by a Court outside Antigua and Barbuda and received by the Governor-General under section 3 of the Maintenance Orders (Facilities for Enforcement) Act, (hereinafter referred to as the Act) shall, unless the order was made by a Court of Superior Jurisdiction be sent to the Magistrate of the District in which the defendant is alleged to be living.

3. WHERE COPY OF PROVISIONAL ORDER SHALL BE SENT. The copy of a provisional order made by a Court outside Antigua and Barbuda and received by the Governor-General under section 6 of the Act shall be sent to an inferior Court of Summary Jurisdiction in the manner provided by the foregoing regulation with the accompanying documents and a requisition for the issue of a summons.

4. ENTRY OF ORDER IN MAGISTRATE'S REGISTER. The Magistrate to whom any order is sent in accordance with the above regulations shall enter it in his register on the date on which he receives it in the same manner as though the order had been made at his Court, distinguishing it from the other entries in such manner as he may find most convenient, so as to show that it is entered in pursuance of this Act.

5. PROCEDURE WHERE ORDER IS EITHER CONFIRMED OR NOT. When an order provisionally made outside Antigua and Barbuda has been confirmed with or without modification under section 6 of the Act by an inferior Court of Summary Jurisdiction, or the Court has decided not to confirm it, the Magistrate shall send notice thereof to the Court from which it issued.

6. DIRECTIONS WHEN ORDER HAS BEEN REGISTERED. When an order has been registered in an inferior Court of Summary Jurisdiction under section 3 of the Act or a provisional order has been confirmed by an inferior Court of Summary Jurisdiction under section 6 that Court shall, unless satisfied that it is undesirable to do so direct that all payments due thereunder shall be made through an officer of the Court, or such other person as it may specify for the purpose.

7. MANNER OF COLLECTING PAYMENTS DUE UNDER ORDER. The person through whom the payments are directed to be made shall collect the monies due under the order in the same manner as though it were an affiliation order, and may take proceedings in his own name for enforcing payment, and shall send the monies, when so collected, to the Court from which the order originally issued:

Provided that if the Court from which the order originally issued is in a Commonwealth country, for which the Crown Agents act, the monies so collected shall be paid to the Crown Agents for transmission to the person to whom they are due.

8. PROCEDURE UNDER SECTION 5 (4) OF THE ACT. When a provisional order made under section 5 of the Act has been remitted under subsection (4) of that section to an inferior Court of Summary Jurisdiction

for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Magistrate to the person on whose application the provisional order was made.

L.I. Gazette 9/8/1922

PROCLAMATION DATED AUGUST 1, 1922, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO GUYANA.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by the said Act it is amongst other things provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to maintenance orders made by Courts within such part or territory and thereupon the said Act shall apply to such maintenance orders as if they had been made in England or Northern Ireland:

AND WHEREAS the Governor-General is satisfied that the Legislature of the part of the Commonwealth hereinafter mentioned has made reciprocal provisions for the enforcement within that part of maintenance orders made by Courts within Antigua and Barbuda:

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NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers by the above recited Act in the Governor-General vested is pleased to proclaim and doth hereby proclaim as follows:

The Maintenance Orders (Facilities for Enforcement) Act shall apply to the part of the Commonwealth hereunder mentioned—

GUYANA

L.I. Gazette 30/8/1923.

PROCLAMATION DATED AUGUST 25, 1923, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO THE BAHAMAS, BARBADOS, BERMUDA, GRENADA, ST. LUCIA, ST. VINCENT AND THE GRENADINES, AND TRINIDAD AND TOBAGO.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by the said Act it is amongst other things provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of Maintenance orders made by Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to maintenance orders made by Courts within such part or territory and thereupon the said Act shall apply to such maintenance orders as if they had been made in England or Northern Ireland:

AND WHEREAS the Governor-General is satisfied that the Legislatures of the parts of the Commonwealth hereinafter mentioned have made reciprocal provisions for the enforcement within those parts of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers by the above recited Act in the Governor-General vested is pleased to proclaim and doth hereby proclaim as follows:

The Maintenance Orders (Facilities for Enforcement) Act shall apply to the parts of the Commonwealth hereunder mentioned—

The Bahamas, Barbados, Bermuda, Grenada, St. Lucia, St. Vincent and The Grenadines, Trinidad and Tobago.

L.I. Subsidiary Legislation (1924).

PROCLAMATION DATED AUGUST 15, 1924, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO BELIZE.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by the said Act it is amongst other things provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by the Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to maintenance orders made by Courts within such part or territory and thereupon the said Act shall apply to such maintenance orders as if they had been made in England or Northern Ireland:

AND WHEREAS the Governor-General is satisfied that the Legislature of the part of the Commonwealth hereinafter mentioned has made reciprocal

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provisions for the enforcement within that part of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers by the above recited Act in the Governor-General vested is pleased to proclaim and doth hereby proclaim as follows:

The Maintenance Orders (Facilities for Enforcement) Act, shall apply to the part of the Commonwealth hereunder mentioned—

BELIZE

L.I. Subsidiary Legislation (1924).

PROCLAMATION DATED JUNE 21, 1924, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO NEW SOUTH WALES.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by the said Act it is amongst other things provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by the Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to maintenance orders made by Courts within such part or territory and thereupon the said Act shall apply to such maintenance orders as if they had been made in England or Northern Ireland:

AND WHEREAS the Governor-General is satisfied that the Legislature of the part of the Commonwealth hereinafter mentioned has made reciprocal

provisions for the enforcement within that part of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers by the above recited Act in the Governor-General vested is pleased to proclaim and doth hereby proclaim as follows:

The Maintenance Orders (Facilities for Enforcement) Act, shall apply to the part of the Commonwealth hereunder mentioned—

NEW SOUTH WALES

L.I. Gazette 14/5/1925.

PROCLAMATION DATED MAY 4, 1925, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO JAMAICA.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by the said Act it is amongst other things provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by the Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to maintenance orders made by Courts within such part or territory and thereupon the said Act shall apply to such maintenance orders as if they had been made in England or Northern Ireland:

AND WHEREAS the Governor-General is satisfied that the Legislature of the part of the Commonwealth hereinafter mentioned has made reciprocal provisions for the enforcement within that part of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers by the above recited Act in the Governor-General vested is pleased to proclaim and doth hereby proclaim as follows:

The Maintenance Orders (Facilities for Enforcement) Act, shall apply to the part of the Commonwealth hereunder mentioned—

JAMAICA

S.R.O. (L.I.) 6/1929.

PROCLAMATION DATED FEBRUARY 2, 1929, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO AUSTRALIA.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by the said Act it is amongst other things provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by the Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to maintenance orders made by Courts within such part or territory and thereupon the said Act shall apply to such maintenance orders as if they had been made in England or Northern Ireland:

AND WHEREAS the Governor-General is satisfied that the Legislature of the Territory for the seat of Government of the Commonwealth of

Australia has made reciprocal provisions for the enforcement within that Territory of maintenance orders made by the Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers by the above recited Act in him vested, is pleased to proclaim and doth hereby proclaim that the Maintenance Orders (Facilities for Enforcement) Act shall apply to the Territory for the seat of Government for the Commonwealth of Australia.

S.R.O. (L.I.) 14/1945.

PROCLAMATION DATED OCTOBER 29, 1945, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO DOMINICA.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by section 12 of the said Act it is provided that where the Governor-General is satisfied that the reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by the Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to such part or territory, and the said Act shall thereupon apply in respect of such part or territory as though the references to England or Northern Ireland were references to such part or territory and the references to the Secretary of State were references to the Government of such part or territory:

AND WHEREAS the Governor-General is satisfied that the Legislature of Dominica has made reciprocal provision for the enforcement within

Dominica of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers in him vested by the above recited Act, is pleased to proclaim, and doth hereby proclaim, that the Maintenance Orders (Facilities for Enforcement) Act is hereby extended to Dominica.

S.R.O. (L.I.) 44/1954.

PROCLAMATION DATED NOVEMBER 18, 1954, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO THE STATES OF JERSEY.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by section 12 of the said Act, as amended, it is provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by Courts in Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to such part or territory, and the said Act shall thereupon apply in respect of such part or territory as though references to England or Northern Ireland were references to such part of territory and the references to the Secretary of State were references to the Government of such part or territory:

AND WHEREAS the Governor-General is satisfied that the Legislature of the States of Jersey has made reciprocal provision for the enforcement within the said States of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers in him vested by the above recited Act is pleased to proclaim and doth hereby proclaim that the Maintenance Orders (Facilities for Enforcement) Act, is hereby extended to the States of Jersey.

S.R.O. 12/1957.

PROCLAMATION DATED THE 20th DAY OF APRIL, 1957, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO ST. CHRISTOPHER AND NEVIS, ANGUILLA, MONTserrat AND THE VIRGIN ISLANDS.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act, provision has been made for the enforcement in Antigua and Barbuda of maintenance orders made by a Court in England or Northern Ireland:

AND WHEREAS by section 12 of the said Act it is provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland or of any territory under Her Majesty's protection for the enforcement within such part or territory of maintenance orders made by Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to such part or territory, and the said Act shall thereupon apply in respect of such part or territory as though the references to England or Northern Ireland were references to such part or territory and the references to the Secretary of State were references to the Government of such part or territory:

AND WHEREAS the Governor-General is satisfied that the Legislatures of St. Christopher and Nevis, Anguilla, Montserrat and the Virgin Islands have made reciprocal provision for the enforcement within those countries of maintenance orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers in him vested by the above recited Act, is pleased to proclaim and doth hereby proclaim that the Maintenance Orders (Facilities for Enforcement) Act, as amended, is hereby extended to St. Christopher and Nevis, Anguilla, Montserrat and the Virgin Islands.

S.R.O. 5/1962.

PROCLAMATION DATED 4th APRIL, 1962, MADE UNDER SECTION 12 OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, EXTENDING THE PROVISIONS OF THE SAID ACT TO THE ISLE OF MAN.

WHEREAS by the Maintenance Orders (Facilities for Enforcement) Act, provision has been made for the enforcement in Antigua and Barbuda of Maintenance Orders made by a Court in England or Ireland:

AND WHEREAS by section 12 of the said Act it is provided that where the Governor-General is satisfied that reciprocal provisions have been made by the Legislature of any part of the Commonwealth other than England or Northern Ireland, or of any territory under Her Majesty's protection for the enforcement within such part or territory, of maintenance orders made by Courts within Antigua and Barbuda, the Governor-General may by proclamation extend the said Act to such part or territory, and

the said Act shall thereupon apply in respect of such part or territory as though the references to England or Northern Ireland were references to such part or territory and the references to the Secretary of State were references to the Government of such part or territory:

AND WHEREAS the Governor-General is satisfied that the Legislature of the Isle of Man has made reciprocal provisions for the enforcement within the Isle of Man of Maintenance Orders made by Courts within Antigua and Barbuda:

NOW, THEREFORE, the Governor-General by virtue and in exercise of the powers in him vested by the above recited Act, is pleased to proclaim and doth hereby proclaim tht the Maintenance Orders (Facilities for Enforcement) Act, as amended, is hereby extended to the Isle of Man.
