

AUSTRALIAN CAPITAL TERRITORY.

Regulations 1956. No. 16.

Regulations under the Maintenance Orders (Facilities for Enforcement) Ordinance 1927-1956.*

WHEREAS by section 12 of the *Maintenance Orders (Facilities for Enforcement) Ordinance 1927-1956* it is enacted that the Attorney-General may make regulations, not inconsistent with that Ordinance, prescribing all matters which are, by that Ordinance, required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for giving effect to that Ordinance:

And whereas by section 11 of that Ordinance it is enacted that the regulations may specify that—

- (a) a part of the Queen's dominions outside England and Northern Ireland;
- (b) a territory under the protection of the Queen;
- (c) a territory administered by the Government of a part of the Queen's dominions under the trusteeship system of the United Nations; or
- (d) a country, or part of a country, which, or a part of which, has, at any time since the establishment of the Commonwealth, been a part of the dominions of the Crown,

which has made, or proposes to make, reciprocal provisions for the enforcement in that part, territory, country or part of a country of maintenance orders made by Courts within the Territory is a reciprocating State for the purposes of that Ordinance:

And whereas each of the parts of the Queen's dominions, each of the territories, each of the countries, and each part of a country, which is specified in the following regulations has made, or proposes to make, reciprocal provisions for the enforcement in that part, territory, country or part of a country of maintenance orders made by Courts within the Territory:

Now therefore I, Neil O'Sullivan, the Attorney-General of the Commonwealth, in pursuance of the powers conferred upon me by the *Maintenance Orders (Facilities for Enforcement) Ordinance 1927-1956*, hereby make the following Regulations.

Dated this seventeenth day of December, 1956.

NEIL O'SULLIVAN
Attorney-General.

* Notified in the *Commonwealth Gazette* on 24th December, 1956.
6836/56.—PRICE 3D.

AMENDMENTS OF THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) REGULATIONS.*

1. Regulation 2 of the Maintenance Orders (Facilities for Enforcement) Regulations is repealed and the following regulation inserted in its stead:—

Definitions.

“2. In these Regulations, unless the contrary intention appears—
‘order’ means maintenance order;
‘the court’ means the Court of Petty Sessions;
‘the Ordinance’ means the *Maintenance Orders (Facilities for Enforcement) Ordinance 1927-1956*;
‘the Secretary’ means the Secretary to the Attorney-General’s Department”.

2. After regulation 2 of the Maintenance Orders (Facilities for Enforcement) Regulations, the following regulation is inserted:—

Prescribed officer.

“3. For the purposes of sections 3, 6 and 8 of the Ordinance, the prescribed officer is—

- (a) in relation to an order to be registered or confirmed, or an order which has been registered or confirmed, in the Supreme Court—the Registrar of that Court; and
(b) in relation to an order to be registered or confirmed or an order which has been registered or confirmed, in the Court of Petty Sessions—the Clerk of that Court.”

Entry of Orders in records.

3. Regulation 5 of the Maintenance Orders (Facilities for Enforcement) Regulations is amended by omitting the word “Clerk” and inserting in its stead the words “Clerk of the Court”.

Provisional order remitted for further evidence.

4. Regulation 6 of the Maintenance Orders (Facilities for Enforcement) Regulations is amended by omitting from sub-regulation (1.) the word “Ireland” and inserting in its stead the words “Northern Ireland”.

Notice to parties of consideration of matter when further depositions taken.

5. Regulation 7 of the Maintenance Orders (Facilities for Enforcement) Regulations is amended by omitting the word “Ireland” and inserting in its stead the words “Northern Ireland”.

Notice of Court’s decision to be sent to Secretary.

6. Regulation 8 of the Maintenance Orders (Facilities for Enforcement) Regulations is amended by omitting from sub-regulation (1.) the word “Ireland” and inserting in its stead the words “Northern Ireland”.

Payments to be made to Registrar or Clerk.

7. Regulation 10 of the Maintenance Orders (Facilities for Enforcement) Regulations is amended by omitting the words “Clerk of the Court” and inserting in its stead the words “Registrar of the Supreme Court or the Clerk of the Court, as the case requires”.

* For references to the *Commonwealth Gazette*s in which the original Regulations and amending Regulations made before 1939 were notified, see footnote (a) on p. 356 of Vol. II. of “Laws of the Australian Capital Territory 1911-1938” and for later amendments see Regulations 1954, No. 6.

8. Regulation 11 of the Maintenance Orders (Facilities for Enforcement) Regulations is repealed and the following regulations are inserted in its stead:—

“ 11.—(1.) A statement giving the names of the parties in the case, and particulars of the period covered by the payment, shall accompany each remittance under section 8 of the Ordinance. Remission of moneys paid under order.

“ (2.) The cost of the remittance, if any, shall be deducted from the amount to be remitted.

“ 12. Each of the parts of the Queen’s dominions, each of the territories, each of the countries, and each part of a country, which is specified in the Second Schedule to these Regulations is a reciprocating State for the purposes of the Ordinance.” Reciprocating States.

9. The Maintenance Orders (Facilities for Enforcement) Regulations are amended by omitting the words— The Schedules.

“ THE SCHEDULE.”

and inserting in their stead the words—

“ THE SCHEDULES.

FIRST SCHEDULE.”

10. The Maintenance Orders (Facilities for Enforcement) Regulations are amended by adding at the end thereof the following Schedule:— The Second Schedule.

SECOND SCHEDULE.

Regulation 12.

RECIPROCATING STATES.

Alberta	Newfoundland
Bahamas	New Guinea
Barbados	New South Wales
Basutoland	New Zealand
Bechuanaland	Nigeria
Bermuda	Norfolk Island
British Columbia	Northern Rhodesia
British Guiana	Northern Territory
British Honduras	Nova Scotia
British Solomon Islands	Nyasaland
Ceylon	Ontario
Cocos Island	Papua
Cyprus	Prince Edward Islands
Falkland Islands	Queensland
Federation of Malaya	St. Lucia
Fiji	St. Vincent
Gambia	Saskatchewan
Gibraltar	Seychelles
Gilbert and Ellice Islands	Sierra Leone
Gold Coast	Singapore
Grenada	Somaliland
Guernsey	South Australia
Hong Kong	Southern Rhodesia
India	Swaziland
Jamaica	Tasmania
Kenya	Trinidad and Tobago
Leeward Islands (including	Uganda
Dominica)	Union of South Africa
Malta	Victoria
Manitoba	Western Australia
Mauritius	Zanzibar

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