

Maintenance Orders (Reciprocal Enforcement) (Designation of Reciprocating Countries) Notification 2016

Table of Contents

Enacting Formula

1 Citation and commencement

2 Definitions

3 Designation of country or territory as reciprocating country

4 Transitional provisions

5 Cancellation

THE SCHEDULE Specified countries

No. S 612

**MAINTENANCE ORDERS
(RECIPROCAL ENFORCEMENT) ACT
(CHAPTER 169)**

**MAINTENANCE ORDERS
(RECIPROCAL ENFORCEMENT)
(DESIGNATION OF RECIPROCATING COUNTRIES)
NOTIFICATION 2016**

In exercise of the powers conferred by sections 17 and 19(2) of the Maintenance Orders (Reciprocal Enforcement) Act, the Minister for Law makes the following Notification:

Citation and commencement

1. This Notification is the Maintenance Orders (Reciprocal Enforcement) (Designation of Reciprocating Countries) Notification 2016 and comes into operation on 1 January 2017.

Definitions

2. In this Notification, unless the context otherwise requires —

“previous Act” means the Maintenance Orders (Facilities for Enforcement) Act (Cap. 168);

“relevant maintenance order” means any maintenance order other than —

- (a) an affiliation order;
- (b) an order (including an affiliation order or order consequent upon an affiliation order) which provides for the payment of a lump sum;
- (c) an order of the description in paragraph (b) of the definition of “maintenance order” in section 2 of the Act, for the payment of birth or funeral expenses of a child; or
- (d) an order which is not made by a civil court of competent jurisdiction;

“specified country” means any country or territory specified in the Schedule.

Designation of country or territory as reciprocating country

3.—(1) The Minister designates each specified country as a reciprocating country for the purposes of the Act as regards any relevant maintenance order.

(2) The Minister designates the Province of Manitoba as a reciprocating country for the purposes of the Act as regards maintenance orders generally.

Transitional provisions

4.—(1) Sections 2, 5 and 12 to 15 of the Act apply in relation to a relevant maintenance order transmitted under section 4 or 5 of the previous Act to any specified country and to which the previous Act applied immediately before 1 January 2017, as they apply in relation to a relevant maintenance order that —

- (a) is sent to that specified country under section 3 of the Act; or
- (b) is made under section 4 of the Act and confirmed by a competent court in that specified country.

(2) A relevant maintenance order made by a court in any specified country that has