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**2. Procedure Rules**

(1) *England.* | (2) *Northern Ireland*, p. 130.

**(1) England**

THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) RULES, 1922, DATED OCTOBER 18, 1922, MADE BY THE LORD CHANCELLOR UNDER THE MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, 1920 (10 & 11 GEO. 5, C. 33). (a)

**1922 No. 1355 (L.26)**

1. The copy of an Order made by a Court outside the United Kingdom and received by the Secretary of State under section 1 of the Maintenance Orders (Facilities for Enforcement) Act, 1920, shall, unless the Order was made by a Court of Superior Jurisdiction, be sent,

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(a) These Rules supersede Provisional Rules, dated August 4, 1922.

- (a) if the defendant is alleged to be living within a division assigned to one of the Metropolitan Police Courts, to the Chief Clerk of that Court, or, if the Secretary of State so directs, to the Chief Clerk of Bow Street Police Court ;
- (b) if he is alleged to be living in any district for which a Stipendiary Magistrate is specially appointed, to the Clerk to that Magistrate ;
- (c) if he is alleged to be living within the City of London, to the Chief Clerk at the Mansion House Justice Room ; and
- (d) if he is alleged to be living elsewhere, to the Clerk to the Justices acting for the Petty Sessional Division or the Borough within which he is living.

2. The copy of a Provisional Order made by a Court outside the United Kingdom and received by the Secretary of State under section 4 of the Act shall be sent to a Court of Summary Jurisdiction in the manner provided by the foregoing Rule, with the accompanying documents and a requisition for the issue of a summons.

3. The Clerk to whom any Order is sent in accordance with the above Rules 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 the Act.

4. When an Order provisionally made outside the United Kingdom has been confirmed, with or without modification, under section 4 of the Act, by a Court of Summary Jurisdiction, or the Court has decided not to confirm it, the Clerk of the Court shall send notice thereof to the Court from which it issued, and also to the Secretary of State.

5. When an Order has been registered in a Court of Summary Jurisdiction under section 1 of the Act, or a Provisional Order has been confirmed by a Court of Summary Jurisdiction under section 4, 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. Such direction may be given without any complaint or application, the provisions of Rule 46 of the Summary Jurisdiction Rules, 1915, (a) notwithstanding.

6. 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 Malta or in a Colony not possessing responsible Government or in a British Protectorate other than Northern or Southern Rhodesia, the monies so collected shall be paid to the Crown Agents for the Colonies for transmission to the person to whom they are due.

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(a) S.R. & O. 1915 No. 200 *see* title "Summary Proceedings, England".

*MAINTENANCE OF DEPENDANTS*

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7. When a Provisional Order made under section 3 of the Act has been remitted under sub-section (4) of that section to a 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 Clerk of the Court to the person on whose application the Provisional Order was made.

8. These Rules may be cited as the Maintenance Orders (Facilities for Enforcement) Rules, 1922.

Dated the 18th day of October, 1922.

*Birkenhead, C.*

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