



Maintenance Orders (Reciprocal Enforcement) Act 1972

1972 CHAPTER 18

PART I

RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS MADE IN UNITED KINGDOM OR RECIPROCATING COUNTRY

Supplemental

18 [F¹Rules of court]

[F²(A1) Rules of court may make provision with respect to the matters that would be mentioned in any of paragraphs (b), (c), (e) and (f) of subsection (1) if references in those paragraphs to a magistrates' court, or to magistrates' courts, were references to the family court.]

(1) [F³The matters referred to in subsections (A1) and (2) are—]

- (a) the circumstances in which anything authorised or required by this Part of this Act to be done by, to or before a magistrates' court acting [F⁴in a particular [F⁵petty sessions district]] or by, to or before an officer of that court may be done by, to or before a magistrates' court acting [F⁴in such other [F⁵petty sessions district]] as the rules may provide or by, to or before an officer of that court;
- (b) the orders made, or other things done, by a magistrates' court, or an officer of such a court, under this Part of this Act, or by a court in a reciprocating country, notice of which is to be given to such persons as the rules may provide and the manner in which such notice shall be given;
- (c) the cases and manner in which courts in reciprocating countries are to be informed of orders made, or other things done, by a magistrates' court under this Part of this Act;

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- (d) the cases and manner in which a justices' clerk may take evidence needed for the purpose of proceedings in a court in a reciprocating country relating to a maintenance order to which this Part of this Act applies;
- (e) the circumstances and manner in which cases may be remitted by magistrates' courts to courts in reciprocating countries;
- (f) the circumstances and manner in which magistrates' courts may for the purposes of this Part of this Act communicate with courts in reciprocating countries.

^{F6}(1A) For the purpose of giving effect to this Part of this Act, ^{F7}rules of court] may make, in relation to any proceedings brought under or by virtue of this Part of this Act, any provision not covered by subsection ^{F8}(A1)] above which—

- (a) falls within subsection (2) of section 93 of the Children Act 1989, and
- (b) may be made in relation to relevant proceedings under that section.]

(2) Rules with respect to the matters mentioned in subsection (1) above ^{F9}(other than paragraph (a))] may be made in accordance with ^{F10}Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981] in relation to proceedings or matters in magistrates' courts in Northern Ireland under this Part of this Act.

^{F11}(2A) For the purpose of giving effect to this Part of this Act, rules made in accordance with Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981 may make, in relation to any proceedings brought under or by virtue of this Part of this Act, any provision not covered by subsection (2) above which—

- (a) falls within paragraph (2) of Article 165 of the Children (Northern Ireland) Order 1995, and
- (b) may be made in relation to relevant proceedings under that Article.]

Textual Amendments

- F1** S. 18 heading substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 39\(5\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F2** S. 18(A1) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 39\(2\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F3** Words in s. 18(1) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 39\(3\)\(a\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F4** Words in s. 18(1)(a) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 155\(2\)\(b\)](#); [S.I. 2005/910](#), art. 3(y)
- F5** Words in s. 18(1)(a) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 39\(3\)\(b\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F6** S. 18(1A) inserted (5.4.1993) by [Maintenance Orders \(Reciprocal Enforcement\) Act 1992 \(c. 56\)](#), s. 1, [Sch. 1 Pt. II para. 11](#); [S.I. 1993/618](#), art. 2
- F7** Words in s. 18(1A) substituted (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 155\(3\)](#); [S.I. 2005/910](#), art. 3(y)
- F8** Word in s. 18(1A) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 39\(4\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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- F9** Words in s. 18(2) inserted (N.I.) (31.10.2016) by Justice Act (Northern Ireland) 2015 (c. 9), s. 106(2), **Sch. 1 para. 66(3)** (with Sch. 8 para. 1); S.R. 2016/387, art. 2(k) (with art. 3)
- F10** Words substituted by S.I. 1981/1675 (N.I. 26), **Sch. 6 Pt. I para. 22**
- F11** S. 18(2A) inserted (N.I.) (4.11.1996) by S.I. 1995/755 (N.I. 2), art. 185(1), **Sch. 9 para. 71** (with Sch. 8 para. 1(1)); S.R. 1996/297, **art. 2(2)**

Modifications etc. (not altering text)

- C1** Ss. 8-21 applied (28.5.2002) by The Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 2002 (S.I. 2002/788), **art. 4(4)(5)**
- C2** Ss. 5, 12-15, 17, 18, 21 applied (28.5.2002) by The Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 2002 (S.I. 2002/788), **art. 4(2)(3)**
- C3** Ss. 8-21 applied (19.6.2008) by The Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 2008 (S.I. 2008/1202), arts. 1, **4(5)**
- C4** S. 18 applied (19.6.2008) by The Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 2008 (S.I. 2008/1202), arts. 1, **4(3)**

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