



# Maintenance Orders Act 1950

1950 CHAPTER 37 14 Geo 6

## PART II

### ENFORCEMENT

#### 18 Enforcement of registered orders.

(1) Subject to the provisions of this section, a maintenance order registered under this Part of this Act in a court in any part of the United Kingdom may be enforced in that part of the United Kingdom in all respects as if it had been made by that court and as if that court had had jurisdiction to make it; and proceedings for or with respect to the enforcement of any such order may be taken accordingly.

<sup>F1</sup>(1A) A maintenance order registered under this Part of this Act in [<sup>F2</sup>the family court or] a court of summary jurisdiction in <sup>F3</sup>... Northern Ireland shall not carry interest; but where a maintenance order so registered is registered in the High Court under <sup>F4</sup>... section 36 of the Civil Jurisdiction and Judgments Act 1982, this subsection shall not prevent any sum for whose payment the order provides from carrying interest in accordance with <sup>F5</sup>... section 11A of the Maintenance and Affiliation Orders Act (Northern Ireland) 1966.

(1B) A maintenance order made in Scotland which is registered under this Part of this Act in the [<sup>F6</sup>Senior Courts or the Court of Judicature] shall, if interest is by the law of Scotland recoverable under the order, carry the like interest in accordance with subsection (1) of this section.]

<sup>F7</sup>(2) .....

<sup>F7</sup>(2ZA) .....

<sup>F7</sup>(2ZB) .....

<sup>F8</sup>(2A) Any person under an obligation to make payments under a maintenance order registered under this Part of this Act in a court of summary jurisdiction in <sup>F9</sup>... [<sup>F10</sup>Northern Ireland ] shall give notice of any change of address to the [<sup>F11</sup>proper officer ] of the court; and any person who without reasonable excuse fails to give such a notice

---

*Changes to legislation: There are currently no known outstanding effects for the Maintenance Orders Act 1950, Section 18. (See end of Document for details)*

---

shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale <sup>F12</sup> . . . . ]

[<sup>F13</sup>(2B) In subsection (2A) of this section “ proper officer ” means—

<sup>F14</sup>(a) . . . . .

(b) in relation to a court of summary jurisdiction in Northern Ireland, the clerk of the court.]

(3) Every maintenance order registered under this Part of this Act in a court of summary jurisdiction in Northern Ireland . . . <sup>F15</sup> shall be enforceable as [<sup>F16</sup>an order made by that court to which Article 98 of the Magistrates’ Courts (Northern Ireland) Order 1981 applies, subject to the modifications of that Article specified in subsection (3ZA) of this section].

[<sup>F17</sup>(3ZA) Article 98 (enforcement of sums adjudged to be paid) shall have effect—

(a) as if for paragraph (7)(a) there were substituted the following sub-paragraph—

(“ if the court is of the opinion that it is appropriate—

(i) to make an attachment of earnings order; or

(ii) to exercise its power under paragraph (8C)(b);”

(b) as if for paragraphs (8B) to (8D) there were substituted the following paragraphs—

(“ Upon the appearance of a person or proof of service of the summons on him as mentioned in paragraph (4) for the enforcement of an order to which this Article applies, the court or resident magistrate may vary the order by exercising one of the powers under paragraph (8C).

(8C) The powers mentioned in paragraph (8B) are—

(a) the power to order that payments under the order be made directly to the collecting officer;

(b) the power to order that payments under the order be made to the collecting officer by such method of payment falling within Article 85(7) (standing order, etc. ) as may be specified;

(c) the power to make an attachment of earnings order under Part IX to secure payments under the order.

(8D) In deciding which of the powers under paragraph (8C) is to be exercised, the court or, as the case may be, a resident magistrate shall have regard to any representations made by the debtor (within the meaning of Article 85).

(8E) Paragraph (5) of Article 85 (power of court to require debtor to open account) shall apply for the purposes of paragraph (8C) as it applies for the purposes of that Article but as if for sub-paragraph (a) there were substituted—

(“ the court proposes to exercise its power under sub-paragraph (b) of Article 98(8C), and]

[<sup>F18</sup>(3A) Notwithstanding subsection (1) above, no court in England in which a maintenance order is registered under this Part of this Act shall enforce that order [<sup>F19</sup> to the extent that it is for the time being registered ] in another court in England under Part I of the <sup>M1</sup> Maintenance Orders Act 1958. ]

[<sup>F20</sup>(3B) Notwithstanding subsection (1) above, no court in Northern Ireland in which a maintenance order is registered under this Part of this Act shall enforce that order to

*Changes to legislation: There are currently no known outstanding effects for the Maintenance Orders Act 1950, Section 18. (See end of Document for details)*

the extent that it is for the time being registered in another court in Northern Ireland under section 36 of the Civil Jurisdiction and Judgments Act 1982.]

(4) ..... F21

(6) Except as provided by this section, no proceedings shall be taken for or with respect to the enforcement of a maintenance order which is for the time being registered in any court under this Part of this Act.

#### Textual Amendments

- F1** S. 18(1A)(1B) inserted by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\)](#), ss. 37(1), 52, [Sch. 11 Pt. II para. 5](#)
- F2** Words in s. 18(1A) inserted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(2\)\(a\)](#); [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(1A) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(2\)\(b\)](#); [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(1A) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(2\)\(c\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F5** Words in s. 18(1A) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(2\)\(d\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F6** Words in s. 18(1B) substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), s. 148(1), [Sch. 11 para. 19\(3\)](#); [S.I. 2009/1604](#), art. 2(d)
- F7** S. 18(2)-(2ZB) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(3\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F8** S. 18(2A) inserted by [Matrimonial and Family Proceedings Act 1984 \(c. 42, SIF 49:3\)](#), ss. 46(1), 48(3), [Sch. 1 para. 2](#)
- F9** Words in s. 18(2A) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(4\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F10** Words inserted by [S.I. 1989/677 \(N.I.4\)](#), art. 42(1), [Sch. 2 para. 1](#)
- F11** Words in s. 18(2A) substituted (1.4.2001) by 1999 c. 22, s. 90, [Sch. 13 para. 13](#) (with [Sch. 14 para. 7\(2\)](#)); [S.I. 2001/916](#), art. 2(a)(ii) (with [Sch. 2 para. 2](#))
- F12** Words in s. 18(2A) repealed (5.11.1993) by 1993 c. 50, s. 1(1), [Sch. 1 Pt. XIV](#)
- F13** S.18(2B) inserted (1.4.2001) by 1999 c. 22 s. 90, [Sch. 13 para. 13](#) (with [Sch. 14 para. 7\(2\)](#)); [S.I. 2001/916](#), art. 2(a)(ii) (with [Sch. 2 para. 2](#))
- F14** S. 18(2B)(a) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 19\(5\)](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F15** Words repealed by [Ministry of Social Security Act 1966 \(c. 20\)](#), [Sch. 8](#)
- F16** Words in s. 18(3) substituted (4.11.1996) by [S.I. 1995/756](#), art. 2(5); [S.R. 1996/297](#), art. 3
- F17** S. 18(3ZA) added (4.11.1996) by [S.I. 1993/1577](#), art. 2(2)(b); [S.R. 1996/454](#), art. 3
- F18** S. 18(3A) inserted by [Administration of Justice Act 1977 \(c. 38\)](#), s. 3, [Sch. 3 para. 6](#)
- F19** Words substituted by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\)](#), ss. 37(1), 52, [Sch. 11 para. 1](#)
- F20** S. 18(3B) inserted by [Civil Jurisdiction and Judgments Act 1982 \(c. 27, SIF 45:3\)](#), ss. 36(6), 52, [Sch. 12 Pt. III para. 1\(1\)\(2\)](#)
- F21** S. 18(4)(5) repealed by [Ministry of Social Security Act 1966 \(c. 20\)](#), [Sch. 8](#)

---

**Changes to legislation:** There are currently no known outstanding effects for the Maintenance Orders Act 1950, Section 18. (See end of Document for details)

---

**Marginal Citations**

**M1** 1958 c. 39.

**Changes to legislation:**

There are currently no known outstanding effects for the Maintenance Orders Act 1950, Section 18.