

1980 No. 423 (S.41)

SHERIFF COURT, SCOTLAND

Act of Sederunt (Reciprocal Maintenance Orders (America))
Rules 1980

Made - - - 20th March 1980
Coming into Operation 10th April 1980

The Lords of Council and Session, under and by virtue of the powers conferred upon them by section 32 of the Sheriff Courts (Scotland) Act 1971(a) as read with section 31(3) of the Maintenance Orders (Reciprocal Enforcement) Act 1972(b) as amended by the Recovery of Maintenance (United States of America) Order 1979(c), and of all other powers enabling them in that behalf, do hereby enact and declare:—

PART I

Citation and commencement

1.—(1) This Act of Sederunt may be cited as the Act of Sederunt (Reciprocal Maintenance Orders (America) Rules) 1980 and shall come into operation on 10th April 1980.

(2) This Act of Sederunt shall be inserted in the Books of Sederunt.

Interpretation

2. In this Act of Sederunt, unless the context otherwise requires—

“the Act” means the Maintenance Orders (Reciprocal Enforcement) Act 1972;

“the principal rules” means the Act of Sederunt (Maintenance Orders (Reciprocal Enforcement) Act 1972 Rules) 1974(d).

Amendment of principal rules

3. In rule 3 of the principal rules, after paragraph (1), insert the following paragraph:—

“(1A) For the purpose of Part II of the Act as applied to a specified State under the Recovery of Maintenance (United States of America) Order 1979, the prescribed officer shall be the sheriff clerk.”.

Edinburgh.
20th March, 1980

Emslie
Lord President
I.P.D.

(a) 1971 c. 58.

(b) 1972 c. 18.

(c) S.I. 1979/1314.

(d) S.I. 1974/939, as amended by S.I. 1975/474.

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt amends the Act of Sederunt (Maintenance Orders (Reciprocal Enforcement) Act 1972 Rules) 1974 to make provision for the sheriff clerk to be the prescribed officer for the purposes of Part II of the Maintenance Orders (Reciprocal Enforcement) Act 1972 as applied to certain states of the United States of America by the Recovery of Maintenance (United States of America) Order 1979.