

CHAPTER 22.

MAINTENANCE ORDERS (ENFORCEMENT).

PROCLAMATIONS UNDER SECTION 11.

The Governor has by Proclamation extended this Law to Maintenance Orders made by Courts within the following territories* :—

New South Wales : See *Gazette* 1924, p. 365.

Grenada : „ „ 1925, p. 181.

Commonwealth of Australia : See *Gazette* 1928, p. 870.

Union of South Africa : See *Gazette* 1953, Volume II, p. 709.

MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) RULES.

RULES OF COURT MADE UNDER SECTION 12.

1. These Rules of Court may be cited as the Maintenance Orders (Facilities for Enforcement) Rules.

23 Revision
Vol. II, 997.

2. In these Rules :—

“the Law” means the Maintenance Orders (Facilities for Enforcement) Law, Cap. 22.

3. The copy of an order made by a Court outside Cyprus and received by the Governor under section 3 of the Law shall be sent to the Registrar of the District Court of the District within which the defendant is alleged to be living.

4. The copy of a provisional order made by a Court outside Cyprus and received by the Governor under section 6 of the Law shall be sent to the Registrar of the District Court of the District within which the defendant is alleged to be living with the accompanying documents and a requisition for the issue of a summons. The summons shall be in the form set out in the Appendix to these rules or as near thereto as may be.

5. The Registrar to whom any order is sent in accordance with the above rules shall enter it in the Register of Judgments of the District Court in the same manner as though it were a judgment of the District Court distinguishing it from the other entries by intituling the entry “In the matter of the Maintenance Orders (Facilities for Enforcement) Law, Cap. 22.”

* Extended also to South Australia as from 4.2.54 (*Gazette* 1954, Volume II, page 432), and to Jersey as from 16.9.54. (*Gazette* 1954, Volume II, page 577).

6. When an order provisionally made by a Court outside Cyprus has been confirmed with or without modification under section 6 of the Law by a District Court, or the Court has decided not to confirm it, the Registrar shall send notice thereof to the Court from which it issued, and also to the Colonial Secretary for transmission to the Governor.

7. Where an order has been registered in a District Court under section 3 of the Law or a provisional order has been confirmed by a District Court under section 6, the Court on application or on its own motion, shall, unless satisfied that it is undesirable to be so, direct that all payments due thereunder be made through the Registrar, or such other person as it may specify for the purpose.

8. The District Court or a Judge thereof may authorize the Registrar or the person so appointed to take all such proceedings as may be necessary to enforce payment of any money due under the order, and he shall send the moneys when so collected to the Court from which the order originally issued: Provided that if the person to whom the payment is to be made is in England he shall remit the moneys so collected to the Crown Agents for the Colonies for transmission to the officer specified by the Court which originally made the order: Provided also that if the Court from which the order originally issued is in a Colony not possessing responsible Government or in a British Protectorate other than Northern or Southern Rhodesia, he shall send the moneys so collected to the Crown Agents for the Colonies for transmission to the person to whom they are due.

9. Every copy of an order sent to the Registrar under section 3 or section 6 of the Law, shall be filed by him, by endorsing on it the word "filed" and the date when he received it, and he shall attach thereto the notes of the Court or a Judge taken on any application or other proceeding or in giving any direction and all other documents which by any Law or Rules of Court are required to be filed.

The said documents shall be fastened together in chronological order and shall form the file of the proceedings and each file shall be numbered consecutively throughout the year.

10. Subject to the provisions of the Law and of these rules and to any special directions as to procedure which a District Court may think fit, for reasons to be stated in giving such direction, to give, all proceedings under the law shall be subject to the same Rules of Court as apply to proceedings in civil actions: Provided always that no fees shall be paid in respect of any proceedings taken by the Registrar of the District Court or other person authorized under rule 8.

APPENDIX.

FORM OF SUMMONS.

(Rule 4.)

In the District Court of (Insert No. of File and year).

In the matter of the Maintenance Orders (Facilities for Enforcement) Law, Cap. 22.

To..... of.....

This is to command you to appear before this Court on the day of 19 at o'clock in the forenoon to show cause why a provisional order requiring you (insert particulars showing amount payable to person at whose instance the order was obtained) made by the (name of Court which made the order) should not be confirmed.

Issued this day of, 19

(Signed)..... Registrar of the District Court.
