
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 355

The Recovery of Maintenance (United States of America) (Scotland) Order 2007

Application of Part II of the Act to the United States of America

4.—(1) The provisions of Part II of the Act (other than section 25) shall apply to the United States of America as they apply in relation to a convention country⁽¹⁾, subject to the modification set out in paragraph (2).

(2) After section 26(3) of the Act, insert—

“(3A) An application under subsection (1) or (2) above, for the purpose of recovering maintenance from a person in the United States of America within the meaning of the Recovery of Maintenance (United States of America) (Scotland) Order 2007⁽²⁾, and a certificate signed by the sheriff to the effect that the application sets forth facts from which it may be determined that the respondent owes a duty to maintain the applicant and any other person named in the application and that a court in the United States of America may obtain jurisdiction of the respondent or the respondent’s property, shall be registered in the court in the prescribed manner by the appropriate officer in the Maintenance Orders (Reciprocal Enforcement) Act 1972 Register⁽³⁾.”

(1) Convention countries are declared under section 25 of the 1972 Act.

(2) [S.S.I. 2007/355](#).

(3) Established under paragraph 13 of the Act of Sederunt (Maintenance Orders (Reciprocal Enforcement) Act 1972 Rules) 1974 ([S.I.1974/939](#)).