



Maintenance Orders (Reciprocal Enforcement) Act 1972

1972 CHAPTER 18

PART II

RECIPROCAL ENFORCEMENT OF CLAIMS FOR THE RECOVERY OF MAINTENANCE

Application by person in convention country for recovery of maintenance in England, Wales or Northern Ireland

29 Complaint by woman in convention country for recovery in Northern Ireland of maintenance from her husband

- (1) Where the complaint is a complaint under section 1 of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945, the provisions of this section shall have effect.
- (2) The only provisions which the court hearing the complaint may include in an order under section 3(1) of the said Act of 1945, or in an interim order under section 4 thereof, are either or both of the following provisions, namely—
 - (a) a provision such as is mentioned in paragraph (c) of the said section 3(1); and
 - (b) a provision such as is mentioned in paragraph (d) of that subsection;but in determining whether to include in any such order a provision such as is mentioned in the said paragraph (d) as respects a child the legal custody of whom has not been committed to any person, the court shall proceed as if it had made an order under the said section 3(1) committing the child to the custody of the wife.
- (3) Section 5(2) of the said Act of 1945 (power to make new order where order made on application of a married woman is discharged) shall have effect where an order made on the complaint is discharged as if the words " that the legal custody of the children of the marriage shall continue to be committed to such married woman and " were omitted.

Status: This is the original version (as it was originally enacted).

- (4) Section 8 of the said Act of 1945 (power to refuse order in case more suitable for High Court) shall not apply in relation to the complaint.