



Maintenance Orders (Reciprocal Enforcement) Act 1972

1972 CHAPTER 18

PART II

RECIPROCAL ENFORCEMENT OF CLAIMS FOR THE RECOVERY OF MAINTENANCE

Transfer, enforcement, variation and revocation of registered orders

34 Variation and revocation of orders

- (1) Where a registered order is registered in a court other than the court by which the order was made, the registering court shall have the like power to vary or revoke the order as if it had been made by the registering court and as if that court had had jurisdiction to make it; and no court other than the registering court shall have power to vary or revoke a registered order.
- (2) Where the registering court revokes a registered order it shall cancel the registration.
- (3) Where the Secretary of State receives from the appropriate authority in a convention country an application by a person in that country for the variation of a registered order, he shall, if the registering court is a magistrates' court, send the application together with any documents accompanying it to the clerk of that court.
- (4) Where a court in a part of the United Kingdom makes, or refuses to make, an order varying or revoking a registered order made by a court in another part thereof, any person shall have the like right of appeal (if any) against the order or refusal as he would have if the registered order had been made by the first-mentioned court.
- (5) In the application of this section to Scotland, for subsection (3) there shall be substituted the following subsection:—
 - “(3) Where the Secretary of State receives from the appropriate authority in a convention country an application by a person in that country for the variation of a registered order, he shall, if the registering court is a sheriff court, send the

Status: This is the original version (as it was originally enacted).

application, together with any documents accompanying it, to the secretary of the committee mentioned in section 31(1) of this Act, and the secretary shall thereupon send the application and any accompanying documents to a solicitor practising in the registering court, with a view to the solicitor's taking on behalf of the applicant such steps as appear to the solicitor appropriate in respect of the application.”