



Maintenance Orders Act 1958

1958 CHAPTER 39 6 and 7 Eliz 2

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Supplemental

21 Interpretation, etc.

- (1) In this Act, unless the context otherwise requires, the following expressions have the following meanings—

F1

...

F2

“defendant”, in relation to a maintenance order or a related attachment of earnings order, means the person liable to make payments under the maintenance order;

F2

...

“England” includes Wales;

F2

...

“prescribed” means prescribed by rules of court;

[^{F3}“proper officer”, in relation to a magistrates’ court, means the clerk of the court;]

F4

...

- (2) Any reference in this Act to a person entitled to receive payments under a maintenance order is a reference to a person entitled to receive such payments either directly or through another person or for transmission to another person.
- (3) Any reference in this Act to proceedings relating to an order includes a reference to proceedings in which the order may be made.
- (4) Any reference in this Act to costs incurred in proceedings relating to a maintenance order shall be construed, in the case of a maintenance order made by the High Court,

Changes to legislation: Maintenance Orders Act 1958, Section 21 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

as a reference to such costs as are included in an order for costs relating solely to that maintenance order.

(5) F5

(6) Any reference in this Act to any enactment is a reference to that enactment as amended by or under any subsequent enactment.

Textual Amendments

- F1** Words in s. 21(1) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 13](#); [S.I. 2014/954](#), [art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F2** Definitions of “attachment of earnings order”, “earnings”, “employer”, “excepted sums”, and “maintenance order” repealed by [Administration of Justice Act 1970 \(c. 31\)](#), [Sch. 11](#)
- F3** Definition of “proper officer” in s. 21(1) repealed (1.4.2001) by [1999 c. 22](#), s. 106, [Sch. 15 Pt. V\(7\)](#) (with s. 107, [Sch. 14 para. 7\(2\)](#), [36\(9\)](#)); [S.I. 2001/916](#), [art. 2\(c\)\(ii\)](#) (with transitional provision in [Sch. 2 para. 2](#))
- F4** Words in s. 21(1) repealed (1.4.2005) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 8 para. 104](#), [Sch. 10](#); [S.I. 2005/910](#), [art. 3\(y\)](#)
- F5** S. 21(5) repealed by [Administration of Justice Act 1970 \(c. 31\)](#), [Sch. 11](#)

Modifications etc. (not altering text)

- C1** S. 21 applied (14.10.1991) by [S.I. 1991/1247](#), [rule 7.22](#)
- C2** S. 21 applied (18.6.2011) by [The Magistrates Courts \(Enforcement or Variation of Orders Made in Family Proceedings and Miscellaneous Provisions\) Rules 2011 \(S.I. 2011/1329\)](#), rules 1, [34\(2\)](#) (with rule 3)

Changes to legislation:

Maintenance Orders Act 1958, Section 21 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 21 defn(s). amended by [1999 c. 22 Sch. 10 para. 22](#)
- s. 21 repealed in part by [1999 c. 22 Sch. 15 Pt. 5\(7\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2018/1125, reg. 8 omitted (31.12.2020) by virtue of Private International Law (Implementation of Agreements) Act 2020 (c. 24), s. 4(3), Sch. 5 para. 4(4))