



Maintenance Orders Act 1950

1950 CHAPTER 37 14 Geo 6

PART II

ENFORCEMENT

24 Cancellation of registration.

- (1) At any time while a maintenance order is registered under this Part of this Act in any court, an application for the cancellation of the registration may be made in the prescribed manner to the prescribed officer of that court by or on behalf of the person entitled to payments under the order; and upon any such application that officer shall (unless proceedings for the variation of the order are pending in that court), cancel the registration, and thereupon the order shall cease to be registered in that court.
 - (2) Where, after a maintenance order has been registered under this Part of this Act in [^{F1}the family court, a court of summary jurisdiction in Northern Ireland] or a sheriff court in Scotland, it appears to the appropriate authority (as defined by section seventeen of this Act), upon application made in the prescribed manner by or on behalf of the person liable to make payments under the order, that that person has ceased to reside in England, Northern Ireland or Scotland, as the case may be, the appropriate authority may cause a notice to that effect to be sent to the prescribed officer [^{F2}of any court] in which the order is registered; and where such a notice is sent the prescribed officer shall cancel the registration of the maintenance order, and thereupon the order shall cease to be registered in that court.
 - (3) Where the prescribed officer of any court cancels the registration of a maintenance order under this section, he shall give notice of the cancellation in the prescribed manner
 - [^{F3}(a) to the prescribed officer of the court by which the order was made; and
 - (b) to the prescribed officer of any court in which it is registered under Part I of the ^{M1}Maintenance Orders Act 1958 [^{F4}or section 36 of the Civil Jurisdiction and Judgments Act 1982].
- (3A) On receipt of a notice under subsection (3) above:—

Changes to legislation: There are currently no known outstanding effects for the Maintenance Orders Act 1950, Section 24. (See end of Document for details)

- (a) any such officer as is mentioned in paragraph (a) of that subsection shall cause particulars of the notice to be registered in his court in the prescribed manner; and
 - (b) any such officer as is mentioned in paragraph (b) of that subsection shall cause particulars of the notice to be registered in his court in the prescribed manner and shall cancel the registration of the order.]
- (4) Except as provided by subsection (5) of this section, the cancellation of the registration of a maintenance order shall not affect anything done in relation to the maintenance order while it was registered.
- (5) On the cancellation of the registration of a maintenance order, any order made in relation thereto under subsection (2) of section nineteen of this Act shall cease to have effect; but until the person liable to make payments under the maintenance order receives the prescribed notice of the cancellation, he shall be deemed to comply with the maintenance order if he makes payments in accordance with any order under the said subsection (2) which was in force immediately before the cancellation.
- ^{F5}[(5A) On the cancellation of the registration of a maintenance order registered in [^{F6}the family] court in England and Wales, any order—
- (a) made in relation thereto by virtue of the powers conferred by ^{F7}... section 22(1A) ^{F7}... of this Act, and
 - (b) requiring payment to [^{F8}the family court] (whether or not by any method of payment falling within section [^{F9}1(5) of the Maintenance Enforcement Act 1991]),
- shall cease to have effect; but until the person liable to make payments under the maintenance order receives the prescribed notice of the cancellation, he shall be deemed to comply with the maintenance order if he makes payments in accordance with any such order which was in force immediately before the cancellation.]
- ^{F10}(5B) On the cancellation of the registration of a maintenance order registered in a court of summary jurisdiction in Northern Ireland, any order—
- (a) made in relation thereto by virtue of the powers conferred by section 18(3ZA) or section 22(1F) or (1J) of this Act, and
 - (b) requiring payment to the collecting officer in Northern Ireland (whether or not by any method of payment falling within Article 85(7) of the Magistrates' Courts (Northern Ireland) Order 1981),
- shall cease to have effect; but until the person liable to make payments under the maintenance order receives the prescribed notice of the cancellation, he shall be deemed to comply with the maintenance order if he makes payments in accordance with any such order which was in force immediately before the cancellation.]
- (6) Where, by virtue of an order made under subsection (2) of section nineteen of this Act, sums payable under a maintenance order registered in a court of summary jurisdiction in ^{F11}... Northern Ireland are payable through the collecting officer of any court, that officer shall, if the person entitled to the payments so requests, make an application on behalf of that person for the cancellation of the registration.

Textual Amendments

- F1** Words in s. 24(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 23\(2\)](#); S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

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- F2** Words substituted by Administration of Justice Act 1977 (c. 38), s. 3, **Sch. 3 para. 9(a)**
- F3** Words substituted by Administration of Justice Act 1977 (c. 38), s. 3, **Sch. 3 para. 9(b)**
- F4** Words inserted by Civil Jurisdiction and Judgments Act 1982 (c. 27, SIF 45:3), ss. 36(6), 52, **Sch. 12 Pt. III para. 1(4)**
- F5** S. 24(5A) inserted (1.4.1992) by Maintenance Enforcement Act 1991 (c. 17, SIF 49:3), s. 10, **Sch. 1 para. 6; S.I. 1992/455, art. 2.**
- F6** Words in s. 24(5A) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 23(3)(a); S.I. 2014/954, art. 2(e)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F7** Words in s. 24(5A)(a) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 23(3)(b); S.I. 2014/954, art. 2(e)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F8** Words in s. 24(5A)(b) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 23(3)(c)(i); S.I. 2014/954, art. 2(e)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F9** Words in s. 24(5A)(b) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 23(3)(c)(ii); S.I. 2014/954, art. 2(e)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F10** S. 24(5B) inserted (4.11.1996) by S.I. 1993/1577, **art. 2(5); S.R. 1996/454, art. 3**
- F11** Words in s. 24(6) omitted (22.4.2014) by virtue of Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 11 para. 23(4); S.I. 2014/954, art. 2(e)** (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Marginal Citations

- M1** 1958 c. 39.

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