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STATUTORY INSTRUMENTS

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**1979 No. 1561 (L.22)**

**MAGISTRATES' COURTS**

**PROCEDURE**

**The Magistrates' Courts (Recovery Abroad  
of Maintenance) (Amendment) Rules 1979**

<i>Made</i>	- - - -	<i>29th November 1979</i>
<i>Laid before Parliament</i>		<i>10th December 1979</i>
<i>Coming into Operation</i>		<i>1st January 1980</i>

The Lord Chancellor, in exercise of the power conferred on him by section 15 of the Justices of the Peace Act 1949, as extended by section 122 of the Magistrates' Courts Act 1952, section 5(1) of the Justices of the Peace Act 1968 and sections 27(8) to (10), 32(1) to (3), (6) and (8), 33(4) and (5), 35(4) and 38(2) of the Maintenance Orders (Reciprocal Enforcement) Act 1972, after consultation with the Rule Committee appointed under the said section 15, hereby makes the following Rules:—

1. These Rules may be cited as the Magistrates' Courts (Recovery Abroad of Maintenance) (Amendment) Rules 1979 and shall come into operation on 1st January 1980.

2.—(1) The provisions of the Magistrates' Courts (Recovery Abroad of Maintenance) Rules 1975 shall apply in relation to an American State for the time being specified in the Recovery of Maintenance (United States of America) Order 1979 as they apply in relation to a Convention country, subject to the modification set out in paragraph (2) below.

(2) After rule 5 of the said Rules of 1975 there shall be inserted the following rule:—

“5A.—

Where an application under section 26(1) or (2) of the Act or a certificate under section 26(3A) of the Act is required to be registered in a magistrates' court in pursuance of the Recovery of Maintenance (United States of America) Order 1979, the justices' clerk shall enter and sign a minute or memorandum of the application or certificate in his register.”

Dated 29th November 1979

*Hailsham of St. Marylebone, C*

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### **EXPLANATORY NOTE**

These Rules apply the provisions of the Magistrates' Courts (Recovery Abroad of Maintenance) Rules 1975 to the American States specified in the Recovery of Maintenance (United States of America) Order 1979, and makes the modification set out in rule 2(2).