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STATUTORY INSTRUMENTS

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**1981 No. 552**

**The Magistrates' Courts Rules 1981**

**ORDERS FOR PERIODICAL PAYMENTS**

**Duty of clerk to notify remarriage of person entitled to payments under a maintenance order**

**45.**—(1) Where the clerk of a magistrates' court to whom any payments under an order to which this rule applies are required to be made is notified in writing by or on behalf of the person entitled to payments under such an order, the person liable to make payments under such an order or the personal representatives of either of those persons that the person so entitled has remarried, the clerk shall forthwith in writing so notify the clerk or other appropriate officer of each of the courts mentioned in paragraph (2) of which he is not the clerk.

(2) The courts referred to in paragraph (1) are—

- (a) any court which has made a relevant order or, in the case of a provisional order made under section 3 of the Maintenance Orders (Facilities for Enforcement) Act 1920<sup>(1)</sup> or section 3 of the Maintenance Orders (Reciprocal Enforcement) Act 1972<sup>(2)</sup>, the court which confirmed the order;
- (b) if a relevant order has been transmitted abroad for registration under section 2 of the said Act of 1920 or section 2 of the said Act of 1972 the court in which the order is registered, and
- (c) if a complaint for the enforcement of a relevant order has been sent to a court under rule 59(2), that court.

(3) This rule applies to an order in relation to which section 4(2) of the Act of 1978 applies, an order to which section 38 of the Matrimonial Causes Act 1973<sup>(3)</sup> applies and an attachment of earnings order made to secure payments under either of the above-mentioned orders and in paragraph (2) “relevant order” means any such order to which the payments referred to in paragraph (1) relate.

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(1) 1920 c. 33.  
(2) 1972 c. 18.  
(3) 1973 c. 18.