

MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) REGULATIONS, 1926. ⁽¹⁾

Statutory Rules.

No. 7 of 1926.

1. The copy of an Order made by a Court in England or Ireland or in any Reciprocating State and received by the Lieutenant-Governor⁽²⁾ under Section 3 of the *Maintenance Orders (Facilities for Enforcement) Ordinance, 1923*,⁽³⁾ shall be sent to the Government Secretary who shall forward the same for registration to the Resident Magistrate of the Division in which the defendant is alleged to be living.

2. The copy of a Provisional Order made by a Court in England or Ireland or in any Reciprocating State and received by the Lieutenant-Governor⁽²⁾ under Section 6 of the Ordinance shall be sent by the Lieutenant-Governor⁽²⁾ to the Government Secretary with the accompanying documents who shall forward the same in manner provided by the foregoing regulation to the Resident Magistrate of the Division in which the defendant is alleged to be living with a requisition for the issue of a summons.

3. The Resident Magistrate to whom any Order is sent in accordance with the above regulations shall enter it in his Cause Book or Register on the date on which he receives it in the same manner as though the Order had been made at his Court, distinguishing it from other entries in such manner as he may find most convenient so as to show that it is entered in pursuance of the Ordinance.

4. When an Order provisionally made in England or Ireland or in any Reciprocating State has been confirmed with or without modification under Section 6 of the Ordinance or the Court has decided not to confirm it, the Court shall send notice thereof to the Government Secretary for transmission to the Court from which it issued and also to the Lieutenant-Governor.⁽²⁾

(1) Particulars of these Regulations are as follows:—

Ordinance under which made.	Date on which made by Lieut.-Gov. in Council.	Date on which published in Papua Govt. Gaz.	Date on which took effect.
<i>Maintenance Orders (Facilities for Enforcement) Ordinance, 1923-1937</i>	22.3.1926	7.4.1926	7.4.1926 (Papua Govt. Gaz. of 7.4.1926)

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940*.

(3) Now the *Maintenance Orders (Facilities for Enforcement) Ordinance, 1923-1937*.

5. When an Order has been registered under Section 3 of the Ordinance or a Provisional Order has been confirmed under Section 6 the Court shall direct that all payments due thereunder shall be made through the Court.

6. The Court through whom payments are directed to be made shall collect the moneys due under the Orders and shall take all necessary proceedings for enforcing payment as provided in Section 8(2.) of the Ordinance.

7.—(1.) The moneys when so collected shall be sent by the Court to the Government Secretary for transmission—

(a) in the case of the Order having been made in England or Ireland to the High Commissioner of the Commonwealth of Australia; or

(b) in the case of the Order having been made in a Reciprocating State to the Chief Secretary, Government Secretary, Public Trustee, or Public Curator of that State; or

(c) in any case, to such authority as the Lieutenant-Governor⁽²⁾ may direct

to be transmitted to the person to whom they are due.

(2.) The Government Secretary shall when so transmitting money also by prepaid letter post inform the Court which made the Order of such transmission having been made.

8. When a Provisional Order made under Section 5 of the Ordinance has been remitted under Sub-section (4.) of that section to the Court for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Court to the person on whose application the Provisional Order was made.

9. These Regulations may be cited as the *Maintenance Orders (Facilities for Enforcement) Regulations, 1926.*⁽¹⁾

(1) See note (1) printed on p. 3014.

(2) See Section 19(2) of the *Ordinance Interpretation Ordinance, 1911-1940.*