



BERMUDA

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) ACT 1974

1974 : 119

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Interpretation

1 (1) In this Act—

“affiliation order” means an order (however described) adjudging, finding or declaring a person to be the father of a child, whether or not it also provides for the maintenance of the child;

“certificate of arrears”, in relation to a maintenance order, means a certificate certifying that the sum specified in the certificate is to the best of the information or belief of the officer giving the certificate the amount of the arrears due under the order at the date of the certificate or, as the case may be, that to the best of his information or belief there are no arrears due thereunder at that date;

“certified copy”, in relation to an order of a court, means a copy of the order certified by the proper officer of the court to be a true copy;

“court” includes any tribunal or person having power to make, confirm, enforce, vary or revoke a maintenance order;

“maintenance order” means an order (however described) of any of the following descriptions:—

(a) an order (including an affiliation order or order consequent upon an affiliation order) which provides for the periodical payment of sums of money towards the maintenance of any person, being a person whom the payer under the order is, according to the law applied in the place where the order was made, liable to maintain; and

(b) an affiliation order or order consequent upon an affiliation order, being an order which provides for the payment by a person adjudged, found or declared to be a child’s father of expenses incidental to the child’s birth or, where the child has died, of his funeral expenses,

and, in the case of a maintenance order which has been varied, means that order as varied;

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“payee”, in relation to a maintenance order, means the person entitled to the payments for which the order provides;

“payer”, in relation to a maintenance order, means the person liable to make payments under the order;

“prescribed” means prescribed by rules of court under section 17;

“provisional order” means (according to the context)—

(a) an order made by a court in Bermuda which is provisional only and has no effect unless and until confirmed, with or without alteration, by a competent court in a reciprocating country; or

(b) an order made by a court in a reciprocating country which is provisional only and has no effect unless and until confirmed, with or without alteration, by a court in Bermuda having power under this Act to confirm it;

“reciprocating country” means a country or territory for the time being designated as a reciprocating country under this Act;

“registered order” means a maintenance order which is for the time being registered in a court in Bermuda under this Act;

“the responsible authority”, in relation to a reciprocating country, means any person who in that country has functions similar to those of the Governor under this Act.

(2) For the purposes of this Act an order shall be taken to be a maintenance order so far (but only so far) as it relates to the periodical payment of sums of money as mentioned in paragraph (a) of the definition of “maintenance order” in subsection (1) or to the payment by a person adjudged, found or declared to be a child’s father of any such expenses as are mentioned in paragraph (b) of that definition.

(3) Any reference in this Act to the payment of money for the maintenance of a child shall be construed as including a reference to the payment of money for the child’s education.

### *ORDERS MADE BY COURTS IN BERMUDA*

Transmission of maintenance order made in Bermuda for enforcement in reciprocating country

2 (1) Subject to subsection (2), where the payer under a maintenance order made, whether before or after the commencement of this Act, by a court in Bermuda is residing in a reciprocating country, the payee under the order may apply for the order to be sent to that country for enforcement.

(2) Subsection (1) shall not have effect in relation to a provisional order.

(3) Every application under this section shall be made in the prescribed manner to the magistrates’ court which made the maintenance order to which the application relates.

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(4) If, on an application duly made under this section the court is satisfied that the payer under the maintenance order to which the application relates is residing in a reciprocating country, the following documents—

- (a) a certified copy of the maintenance order;
- (b) a certificate signed by that officer certifying that the order is enforceable in Bermuda;
- (c) a certificate of arrears so signed;
- (d) a statement giving such information as the court possesses as to the whereabouts of the payer;
- (e) a statement giving such information as the court possesses for facilitating the identification of the payer; and
- (f) where available, a photograph of the payer,

shall be sent by the court to the Governor with a view to their being transmitted by the Governor to the responsible authority in the reciprocating country if he is satisfied that the statement relating to the whereabouts of the payer gives sufficient information to justify that being done.

Power of magistrates' court to make provisional maintenance order against person residing in reciprocating country

3 (1) Where an application is made to a magistrates' court in Bermuda for a maintenance order against a person residing in a reciprocating country and the application is one on which the court would have jurisdiction by virtue of any enactment to make a maintenance order if—

- (a) that person were residing in Bermuda; and
- (b) a summons to appear before the court to answer to the application had been duly served on him,

the court shall have jurisdiction to hear the application and may, subject to subsection (2), make a maintenance order on the application.

(2) A maintenance order made by virtue of this section shall be a provisional order.

(3) Where a court makes a maintenance order which is by virtue of this section a provisional order, the following documents—

- (a) a certified copy of the maintenance order;
- (b) a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings;
- (c) a certificate signed by the magistrate certifying that the grounds stated in the certificate are the grounds on which the making of the order might have been opposed by the payer under the order;

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- (d) a statement giving such information as was available to the court as to the whereabouts of the payer;
- (e) a statement giving such information as the magistrate possesses for facilitating the identification of the payer; and
- (f) where available, a photograph of the payer,

shall be sent by the magistrate to the Governor with a view to their being transmitted by the Governor to the responsible authority in the reciprocating country in which the payer is residing if he is satisfied that the statement relating to the whereabouts of the payer gives sufficient information to justify that being done.

(4) A maintenance order made by virtue of this section which has been confirmed by a competent court in a reciprocating country shall be treated for all purposes as if the court which made the order had made it in the form in which it was confirmed and as if the order had never been a provisional order, and subject to section 4, any such order may be enforced, varied or revoked accordingly.

Variation and revocation of maintenance order made in Bermuda

4 (1) This section applies to a maintenance order a certified copy of which has been sent to a reciprocating country in pursuance of section 2 and to a maintenance order made by virtue of section 3 which has been confirmed by a competent court in such a country.

(2) A court in Bermuda having power to vary a maintenance order to which this section applies shall have power to vary that order by a provisional order.

(3) Where the court hearing an application for the variation of a maintenance order to which this section applies proposes to vary it by increasing the rate of the payments under the order then, unless either—

- (a) both the payer and the payee under the order appear in the proceedings, or
- (b) the applicant appears and the appropriate process has been duly served on the other party,

the order varying the order shall be a provisional order.

(4) Where a court in Bermuda makes a provisional order varying a maintenance order to which this section applies, the magistrate shall send in the prescribed manner to the court in a reciprocating country having power to confirm the provisional order a certified copy of the provisional order together with a document authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings.

(5) Where a certified copy of a provisional order made by a court in a reciprocating country, being an order varying or revoking a maintenance order to which this section applies, together with a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the provisional order was made, is received by the court in Bermuda which made the maintenance order, that court may confirm or refuse to, confirm the provisional order and, if that order is an order varying the maintenance order, confirm it either without alteration or with such alterations as it thinks reasonable.

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(6) For the purpose of determining whether a provisional order should be confirmed under subsection (5), the court shall proceed as if an application for the variation or revocation, as the case may be, of the maintenance order in question had been made to it.

(7) Where a maintenance order to which this section applies has been varied by an order (including a provisional order which has been confirmed) made by a court in Bermuda or by a competent court in a reciprocating country, the maintenance order shall, as from the date on which the order was made, have effect as varied by that order and, where that order was a provisional order, as if that order had been made in the form in which it was confirmed and as if it had never been a provisional order.

(8) Where a maintenance order to which this section applies has been revoked by an order made by a court in Bermuda or by a competent court in a reciprocating country, including a provisional order made by the last-mentioned court which has been confirmed by a court in Bermuda, the maintenance order shall, as from the date on which the order was made, be deemed to have ceased to have effect except as respects any arrears due under the maintenance order at that date.

(9) Where before a maintenance order made by virtue of section 3 is confirmed a document, duly authenticated, setting out or summarising evidence taken in a reciprocating country for the purpose of proceedings relating to the confirmation of the order is received by the court in Bermuda which made the order, or that court, in compliance with a request made to it by a court in such a country, takes the evidence of a person residing in Bermuda for the purpose of such proceedings, the court in Bermuda which made the order shall consider that evidence and if, having done so, it appears to it that the order ought not to have been made, it shall, in such manner as may be prescribed, give to the person on whose application the maintenance order was made an opportunity to consider that evidence, to make representations with respect to it and to adduce further evidence, and after considering all the evidence and any representations made by that person, it may revoke the maintenance order.

### *ORDERS MADE BY COURTS IN RECIPROCATING COUNTRIES*

Registration in Bermuda court of maintenance order made in reciprocating country

5 (1) This section applies to a maintenance order made, whether before or after the commencement of this Act by a court in a reciprocating country, including such an order made by such a court which has been confirmed by a court in another reciprocating country but excluding a provisional order which has not been confirmed.

(2) Where a certified copy of an order to which this section applies is received by the Governor from the responsible authority in a reciprocating country, and it appears to the Governor that the payer under the order is residing in Bermuda he shall send the copy of the order to the prescribed officer of the magistrates' court.

(3) Where the prescribed officer of the magistrates' court receives from the Governor a certified copy of an order to which this section applies, he shall, subject to subsection (4) register the order in the prescribed manner in that court.

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(4) Before registering an order under this section the prescribed officer shall take such steps as he thinks fit for the purpose of ascertaining whether the payer under the order is residing within the jurisdiction of the court, and if after taking those steps he is satisfied that the payer is not so residing he shall return the certified copy of the order to the Governor with a statement giving such information as he possesses as to the whereabouts of the payer.

Confirmation by Bermuda court of provisional maintenance order made in reciprocating country

6 (1) This section applies to a maintenance order made whether before or after the commencement of this Act, by a court in a reciprocating country being a provisional order.

- (2) Where a certified copy of an order to which this section applies together with—
- (a) a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the order was made; and
  - (b) a statement of the grounds on which the making of the order might have been opposed by the payer under the order,

is received by the Governor from the responsible authority in reciprocating country, and it appears to the Governor that the payer under the order is residing in Bermuda, he shall send the copy of the order and documents which accompanied it to the prescribed officer of the magistrates' court, and that court shall—

- (i) if the payer under the order establishes any such defence as he might have raised in the proceedings in which the order was made, refuse to confirm the order; and
- (ii) in any other case, confirm the order either without alteration or with such alterations as it thinks reasonable.

(3) In any proceeding for the confirmation under this section of a provisional order, the statement received from the court which made the order of the grounds on which the making of the order might have been opposed by the payer under the order shall be conclusive evidence that the payer might have raised a defence on any of those grounds in the proceedings in which the order was made.

(4) For the purpose of determining whether a provisional order should be confirmed under this section the court shall proceed as if an application for a maintenance order against the payer under the provisional order had been made to it.

(5) The prescribed officer of the magistrates' court shall, if the court confirms the order, register the order in the prescribed manner in that court, and shall, if the court refuses to confirm the order, return the certified copy of the order and the documents which accompanied it to the Governor.

(6) If a summons to appear in the proceedings for the confirmation of the provisional order cannot be duly served on the payer under that order the officer by whom the certified copy of the order was received shall return that copy and the documents which

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accompanied it to the Governor with a statement giving such information as he possesses as to the whereabouts of the payer.

### Enforcement of maintenance order registered in Bermuda

7 (1) A registered order may be enforced in Bermuda as if it had been made by the registering court and as if that court had had jurisdiction to make it; and proceedings for or with respect to the enforcement of any such order may be taken accordingly.

(2) Any person for the time being under an obligation to make payments in pursuance of a registered order shall give notice of any change of address to the clerk of the magistrates' court, and any person failing without reasonable excuse to give such a notice commits an offence:

Punishment on summary conviction: a fine of \$20.

(3) An order which by virtue of this section is enforceable by a magistrates' court shall be enforceable as if were an order made under Part IVB of the Children Act 1998.

(4) In any proceedings for or with respect to the enforcement of an order which is for the time being registered in any court under this Act a certificate of arrears sent to the prescribed officer of the court shall be evidence of the facts stated therein.

(5) Subject to subsection (6), sums of money payable under a registered order shall be payable in accordance with the order as from the date on which the order was made.

(6) The court having power under section 6 of this Act to confirm a provisional order may, if it decides to confirm the order, direct that the sums of money payable under it shall be deemed to have been payable in accordance with the order as from such date, being a date later than the date on which the order was made, as it may specify; and subject to any such direction, a maintenance order registered under the said section 6 shall be treated as if it had been made in the form in which it was confirmed and as if it had never been a provisional order.

*[Section 7 subsection (3) substituted by 2002:36 Sch para 13 effective 19 January 2004]*

### Variation and revocation of maintenance order registered in Bermuda court

8 (1) Subject to this section, the registering court—

(a) shall have the like power, on an application made by the payer or payee under a registered order, to vary or revoke the order as if it had been made by the registering court and as if that court had had jurisdiction to make it; and

(b) shall have power to vary or revoke a registered order by a provisional order.

(2) The registering court shall not vary a registered order otherwise than by a provisional order unless—

(a) both the payer and the payee under the registered order are for the time being residing in Bermuda; or

(b) the application is made by the payee under the registered order; or



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- (c) the variation consists of a reduction in the rate of the payments under the registered order and is made solely on the ground that there has been a change in the financial circumstances of the payer since the registered order was made or, in the case of an order registered under section 6, since the registered order was confirmed, and the courts in the reciprocating country in which the maintenance order in question was made do not have power, according to the law in force in that country, to confirm provisional orders varying maintenance orders.

(3) The registering court shall not revoke a registered order otherwise than by a provisional order unless both the payer and the payee under the registered order are for the time being residing in Bermuda.

(4) On an application for the revocation of a registered order the registering court shall unless both the payer and the payee under the registered order are for the time being residing in Bermuda, apply the law applied by the reciprocating country in which the registered order was made; but where by virtue of this subsection the registering court is required to apply that law, that court may make a provisional order if it has reason to believe that the ground on which the application is made is a ground on which the order could be revoked according to the law applied by the reciprocating country, notwithstanding that it has not been established that it is such a ground.

(5) Where the registering court makes a provisional order varying or revoking a registered order the prescribed officer of the court shall send in the prescribed manner to the court in the reciprocating country which made the registered order a certified copy of the provisional order together with a document, authenticated in the prescribed manner, setting out or summarising the evidence given in the proceedings.

(6) Where a certified copy of a provisional order made by a court in a reciprocating country, being an order varying a registered order, together with a document, duly authenticated, setting out or summarising the evidence given in the proceedings in which the provisional order was made, is received by the registering court, that court may confirm the order either without alteration or with such alterations as it thinks reasonable or refuse to confirm the order.

(7) For the purpose of determining whether a provisional order should be confirmed under subsection (6) the court shall proceed as if an application for the variation of the registered order had been made to it.

(8) Where a registered order has been varied by an order (including a provisional order which has been confirmed) made by a court in Bermuda or by a competent court in a reciprocating country, the registered order shall, as from the date on which the order was made, have effect as varied by that order and, where that order was a provisional order, as if that order had been made in the form in which it was confirmed and as if it had never been a provisional order.

(9) Where a registered order has been revoked by order made by a court in Bermuda or by a competent court in a reciprocating country, including a provisional order made by first-mentioned court which has been confirmed by a competent court in a reciprocating country, the registered order shall, as from the date on which the order was

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made, be deemed to have ceased have effect except as respects any arrears due under the register order at that date.

(10) The prescribed officer of the registering court shall register in the prescribed manner any order varying a register order other than a provisional order which is not confirmed.

### Cancellation of registration and transfer of order

9 (1) Where—

- (a) a registered order is revoked by an order made by the registering court; or
- (b) a registering order is revoked by a provisional order made by that court which has been confirmed by a court in a reciprocating country and notice of the confirmation is received by the registering court; or
- (c) a registered order is revoked by an order made by a court in such a country and notice of the revocation is received by the registering court,

the prescribed officer of the registering court shall cancel the registration; but any arrears due under the registered order at the date when its registration is cancelled by virtue of this subsection shall continue to be recoverable as if the registration had not been cancelled.

(2) Where the prescribed officer of the registering court is of opinion that the payer under a registered order has ceased to reside in Bermuda, he shall cancel the registration of the order and, shall send the certified copy of the order to the Governor.

(3) The officer of a court who is required by this section to send to the Governor the certified copy of an order shall send with that copy—

- (a) a certificate of arrears signed by him;
- (b) a statement giving such information as he possesses as to the whereabouts of the payer; and
- (c) any relevant documents in his possession relating to the case.

### Steps to be taken by Governor where payer under certain orders is not residing in Bermuda

10 (1) If it appears to the Governor that the payer under a maintenance order, a certified copy of which has been received by him from a reciprocating country, is not residing in Bermuda or, in the case of an order which subsequently became a registered order, has ceased to reside therein, he shall send to the responsible authority in that country or, if having regard to all the circumstances he thinks it proper to do so, to the responsible authority in another reciprocating country—

- (a) the certified copy of the order in question and a certified copy of any order varying that order;
- (b) if the order has at any time been a registered order, a certificate of arrears signed by the prescribed officer;

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- (c) a statement giving such information as the Governor possesses as to the whereabouts of the payer; and
- (d) any other relevant documents in his possession relating to the case.

(2) Where the documents mentioned in subsection (1) are sent to the responsible authority in a reciprocating country other than that in which the order in question was made, the Governor shall inform the responsible authority in the reciprocating country in which that order was made of what he has done.

*APPEALS*

Appeals

11 (1) No appeal shall lie from a provisional order made in pursuance of any provision of this Act by a court in Bermuda.

(2) Where in pursuance of any such provision any such court confirms or refuses to confirm a provisional order made by a court in a reciprocating country, whether a maintenance order or an order varying or revoking a maintenance order, the payer or payee under the maintenance order shall have the like right of appeal (if any) from the confirmation of, or refusal to confirm, the provisional order as he would have if that order were not a provisional order and the court which confirmed or refused to confirm it had made or, as the case may be, refused to make it.

(3) Where in pursuance of any such provision any such court makes, or refuses to make, an order varying or revoking a maintenance order made by a court in a reciprocating country, then, subject to subsection (1), the payer or payee under the maintenance order shall have the like right of appeal (if any) from that order or from the refusal to make it as he would have if the maintenance order had been made by the first-mentioned court.

*EVIDENCE*

Admissibility of evidence given in reciprocating country

12 (1) A statement contained in—

- (a) a document, duly authenticated, which purports to set out or summarise evidence given in proceedings in a court in a reciprocating country; or
- (b) a document, duly authenticated, which purports to set out or summarise evidence taken in such a country for the purpose of proceedings in a court in Bermuda under this Act, whether in response to a request made by such a court or otherwise; or
- (c) a document, duly authenticated, which purports to have been received in evidence in proceedings in a court in such a country or to be a copy of a document so received,

shall in any proceedings in a court in Bermuda relating to a maintenance order to which this Act applies be admissible as evidence of any fact stated therein to the same extent as oral evidence that fact is admissible in those proceedings.

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(2) A document purporting to set out or summarise evidence given as mentioned in subsection (1)(a), or taken as mentioned in subsection (1)(b), shall be deemed to be duly authenticated for the purposes of that subsection if the document purports to be certified by the judge, magistrate or other person before whom the evidence was given, or, as the case may be, by whom it was taken, to be the original document containing or recording, or, as the case may be, summarising, that evidence or a true copy of that document.

(3) A document purporting to have been received in evidence as mentioned in subsection (1)(c), or to be a copy of a document so received, shall be deemed to be duly authenticated for the purposes of that subsection if the document purports to be certified by a judge, magistrate or officer of the court in question to have been, or to be a true copy of a document which has been, so received.

(4) It shall not be necessary in any such proceedings to prove the signature or official position of the person appearing to have given such a certificate.

(5) Nothing in this section shall prejudice the admission in evidence of any document which is admissible in evidence apart from this section.

### Obtaining of evidence needed for purpose of certain proceedings

13 (1) Where for the purpose of any proceedings in a court in a reciprocating country relating to a maintenance order to which this Act applies a request is made by or on behalf of that court for the taking in Bermuda of the evidence of a person residing therein relating to matters specified in the request, a magistrates' court in Bermuda shall have power to take that evidence and, after giving notice of the time and place at which the evidence is to be taken to such persons and in such manner as it thinks fit, shall take the evidence in such manner as it thinks fit.

(2) Evidence taken in compliance with such a request shall be sent in the prescribed manner by the prescribed officer of the court to the court in the reciprocating country by or on behalf of which the request was made.

(3) Section 9 of the Magistrates Act 1948 [*title 8 item 15*] (which provides for compelling the attendance of witnesses, etc.) shall apply in relation to a magistrates' court having power under subsection (1) to take the evidence of any person as if the proceedings in the court in a reciprocating country for the purpose of which a request for the taking of the evidence has been made were proceedings in that court.

(4) A court in Bermuda may for the purpose of any proceedings in that court under this Act relating to a maintenance order to which this Act applies request a court in a reciprocating country to take or provide evidence relating to such matters as may be specified in the request and may remit the case to that court for that purpose.

### Order, etc. made abroad need not be proved

14 For the purposes of this Act, unless the contrary is shown—

- (a) any order made by a court in a reciprocating country purporting to bear the seal of that court or to be signed by any person in his capacity as a judge, magistrate or officer of the court, shall be deemed without further

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proof to have been duly sealed or, as the case may be, to have been signed by that person;

- (b) the person by whom the order was signed shall be deemed without further proof to have been a judge, magistrate or officer, as the case may be, of that court when he signed it and, in the case of an officer, to have been authorised to sign it; and
- (c) a document purporting to be a certified copy of an order made by a court in a reciprocating country shall be deemed without further proof to be such a copy.

### *DESIGNATION OF RECIPROCATING COUNTRIES*

#### Designation of reciprocating countries by order

15 (1) Where the Governor is satisfied that, in the event of the benefits conferred by this Act being applied to, or to particular classes of, maintenance orders made by the courts of any country or territory outside Bermuda, similar benefits will in that country or territory be applied to, or to those classes of, maintenance orders made by the courts of Bermuda, may by order published in the Gazette designate that country or territory as a reciprocating country for the purposes of this Act.

(2) A country or territory may be designated under subsection (1) as a reciprocating country either as regards maintenance orders generally, or as regards maintenance orders other than those of any specified class, or as regards maintenance orders of one or more specified classes only; and a country or territory which is for the time being so designated otherwise than as regards maintenance orders generally shall for the purposes of this Act be taken to be reciprocating country only as regards maintenance orders of the class to which the designation extends.

(3) Section 6 of the Statutory Instruments Act 1977 shall not apply to an order made under this section.

*[Section 15 subsection (3) inserted by 2016 : 41 s. 2 effective 27 July 2016]*

### *SUPPLEMENTAL*

#### Payment of sums under orders made abroad: conversion of currency

16 (1) Payment of sums due under a registered order shall, while the order is registered in a court in Bermuda, be made in such manner and to such person as the court may direct.

(2) Where the sums required to be paid under a registered order are expressed in a currency other than the currency of Bermuda, then, as from the relevant date, the order shall be treated as if it were an order requiring the payment of such sums in the currency of Bermuda as, on the basis of the rate of exchange prevailing at that date, are equivalent to the sums so required to be paid.

(3) Where the sum specified in any statement, being a statement of the amount of any arrears due under a maintenance order made by a court in a reciprocating country, is expressed in a currency other than the currency of Bermuda, that sum shall be deemed to

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be such sum in the currency of Bermuda as, on the basis of the rate of exchange prevailing at the relevant date, is equivalent to the sum so specified.

(4) For the purposes of this section a written certificate purporting to be signed by an officer of any bank in Bermuda certifying that a specified rate of exchange prevailed between currencies at a specified date and that at such rate a specified sum in the currency of Bermuda is equivalent to a specified sum in another specified currency shall be evidence of the rate of exchange so prevailing on that date and of the equivalent sums in terms of the respective currencies.

(5) In this section “the relevant date” means—

- (a) in relation to a registered order or to a statement of arrears due under a maintenance order made by a court in a reciprocating country, the date on which the order first becomes a registered order or (if earlier) the date on which it is confirmed by a court in Bermuda;
- (b) in relation to a registered order which has been varied, the date on which the last order varying that order is registered in a court in Bermuda or (if earlier) the date on which the last order varying that order is confirmed by such a court.

### Rules

17 (1) Provision may be made by rules of court under section 21 of the Magistrates Act 1948 [*title 8 item 15*] generally for the purpose of giving effect to this Act and in particular for the following matters:—

- (a) the orders made, or other things done, by a magistrates' court or an officer of such court under this Act;
- (b) the cases and manner in which courts in reciprocating countries are to be informed of orders made or other things done by a magistrates' court under this Act;
- (c) the cases and manner in which a magistrate may take evidence needed for the purpose of proceedings in a court in a reciprocating country relating to a maintenance order to which this Act applies;
- (d) the circumstances and manner in which cases may be remitted by magistrates' courts to courts in reciprocating countries;
- (e) the circumstances and manner in which magistrates' courts may for the purposes of this Act communicate with courts in reciprocating countries.

(2) Section 6 of the Statutory Instruments Act 1977 [*title 1 item 3*] shall not apply to rules made under this section.

### Transitional provisions

18 [*omitted*]

MAINTENANCE ORDERS (RECIPROCAL ENFORCEMENT) ACT 1974

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Amendment of No. 275 of 1967

19     *[omitted]*

Repeal of No. 6 of 1922

20     *[omitted]*

Commencement

21     *[omitted]*

[Assent Date: 20 December 1974]

[This Act was brought into operation on 1 September 1975 by SR&O 74/1975]

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*Amended by*

1977 35

2002 36

2016 41]