

Memorandum to Cabinet by the Prime Minister

In terms of Section 13 (1)(b) of the Maintenance Orders (Facilities for Enforcement) Ordinance (Cap. 76) the Governor-General may by order -

"Name a person, in lieu of the Governor of any part of Her Majesty's Dominions outside England and Northern Ireland named in the order, as the person to whom maintenance orders may be transmitted by, and by whom maintenance orders may be transmitted to, the Governor-General of Malta (or, where there is in force in respect of that part of Her Majesty's Dominions as aforesaid an order under paragraph (a) of this subsection, the officer named in that order)".

To reduce the possibility of delays, maintenance orders for enforcement in Victoria, Australia, need not be forwarded to the Governor of Victoria any longer, but may be forwarded directly to the Secretary to the Law Department. This change in procedure is made possible by the enactment in Victoria of the "Maintenance Act, 1965 - No. 7289".

Crown Advocate-General advises that we can fall in line with the provision contained in the Victorian legislation by the making of an Order by His Excellency the Governor-General on the advice of the Cabinet or of the Prime Minister as delegated.

The Crown Advocate-General further advises that the Order prepared by him, which is attached, is so drafted that if other Commonwealth Countries (other than the United Kingdom), States or Territories were to enact a similar provision to that of Victoria, it would be possible for us to meet the changed circumstances by a simple amendment of the Schedule to the Order.

Ministers may wish to agree that His Excellency the Governor-General be advised to make an Order as aforesaid.

L.N.

of 1971

Maintenance Orders (Facilities for Enforcement)
Ordinance (Cap. 76)

The Maintenance Orders (Provisions for
transmission) Order, 1971

Date of commencement:- (date of publication).

IN exercise of the powers conferred by paragraph (b) of subsection (1) of section 13 of the Maintenance Orders (Facilities for Enforcement) Ordinance, (hereinafter referred to as "the Ordinance"), His Excellency the Governor-General has made the following order:-

Citation.

1. This order may be cited as the Maintenance Orders (Provisions for transmission) Order, 1971.

Competent
authority
of
Common-
wealth
Countries

2. The person named in the Schedule to this order in respect of any Commonwealth Country, State or Territory thereof, shall be the person, in lieu of the Governor of that Commonwealth Country, State or Territory thereof, as the case may be, to whom or by whom maintenance orders may be transmitted for the purposes of the Ordinance.

SCHEDULE

1. The Secretary of the Law Department of the State of Victoria, in the Commonwealth of Australia, in lieu of the Governor of that State.