

No. 32

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2nd Session, 14th Legislature, Alberta  
9 Elizabeth II

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## **BILL 32**

A Bill to amend The Alimony Orders Enforcement Act

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HON. MR. MANNING

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## **Explanatory Note**

**2.** This section is amended to give the judge a discretion in requiring that a plaintiff from a foreign jurisdiction appear before a maintenance order can be enforced under the provisions of this Act. Section 5 presently reads:

“5. At the time and place mentioned in the summons or at any other date appointed by a judge on adjournment, the judge shall inquire into

- (a) the resources of the defendant,
  - (b) his means and ability to comply with the order,
  - (c) the disposal he has made of any property since the order was made,
  - (d) any and what debts are owing to him, and
  - (e) the circumstances under which he has made default in complying with the order,
- and for that purpose shall examine on oath the plaintiff and the defendant and any witness produced on behalf of either of them.”.

**3.** This amendment is to bring the reference up to date.

# **BILL**

No. 32 of 1961

An Act to amend The Alimony Orders Enforcement Act

(Assented to \_\_\_\_\_, 1961)

**H**ER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The Alimony Orders Enforcement Act*, being chapter 12 of the Revised Statutes, is hereby amended.

**2.** Section 5 is amended

- (a) by renumbering the section as subsection (1),
- (b) by adding immediately after the renumbered subsection (1) the following:

(2) Notwithstanding subsection (1) where a maintenance order of a reciprocating state has been confirmed under *The Reciprocal Enforcement of Maintenance Orders Act* and the plaintiff is not within the Province the judge in his discretion may waive any examination of the plaintiff.

**3.** Sections 3, 15 and 16 are amended by striking out the words "*The Maintenance Orders (Facilities for Enforcement) Act*" and by substituting the words "*The Reciprocal Enforcement of Maintenance Orders Act*".

**4.** This Act comes into force on the day upon which it is assented to.

1961

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SECOND SESSION

FOURTEENTH LEGISLATURE

9 ELIZABETH II

1961

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## **BILL**

An Act to amend The Alimony Orders  
Enforcement Act

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. MANNING

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