

1984 BILL 66

Second Session, 20th Legislature, 33 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 66

**RECIPROCAL ENFORCEMENT OF MAINTENANCE
ORDERS AMENDMENT ACT, 1984**

MRS. FYFE

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 66
Mrs. Fyfe

BILL 66

1984

RECIPROCAL ENFORCEMENT OF MAINTENANCE ORDERS AMENDMENT ACT, 1984

(Assented to _____, 1984)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

1 *The Reciprocal Enforcement of Maintenance Orders Act, chapter R-7.1 of the Revised Statutes of Alberta 1980, is amended by this Act.*

2 *Section 7(7) is repealed and the following is substituted:*

(7) A registration court may, on application by the respondent, make a provisional order varying or rescinding a registered order if

- (a) the respondent is ordinarily resident in Alberta, and
- (b) the claimant is ordinarily resident in the reciprocating state in which the order was first made,

and section 3 applies with necessary modifications to the proceeding.

(7.1) A registration court may, on application by the respondent, vary or rescind a registered order if

- (a) the respondent is ordinarily resident in Alberta,
- (b) the claimant is ordinarily resident in a reciprocating state other than the state in which the order was first made, and
- (c) the registration court, in the course of the proceeding, remits the matter to the court nearest to the place where the claimant lives or works for the purpose of obtaining evidence on behalf of the claimant,

or if the respondent is ordinarily resident in Alberta, the claimant is not ordinarily resident in a reciprocating state, and the claimant is given notice of the proceeding.

In accordance with section 4(1) of the Interpretation Act, this Bill comes into force on the date it receives Royal Assent.

Explanatory Notes

1 This Bill amends chapter R-7.1 of the Revised Statutes of Alberta 1980.

2 Section 7(7) presently reads:

(7) A registration court may, on application by the respondent, vary or rescind a registered order if

(a) the respondent is ordinarily resident in Alberta,

(b) the claimant is ordinarily resident in a reciprocating state, and

(c) the registration court, in the course of the proceeding, remits the matter to the court nearest to the place where the claimant lives or works for the purpose of obtaining evidence on behalf of the claimant,

or if the respondent is ordinarily resident in Alberta, the claimant is not ordinarily resident in a reciprocating state and the claimant is given notice of the proceeding.