

# INTERNATIONAL

**MAINTENANCE ORDERS** refers to persons residing in a proclaimed country

**This Act makes provision for final and provisional orders.**

## **PROVISIONAL ORDERS:**

### **Enquiry with a view to making a provisional order.**

An enquiry in terms of section 8 of the Reciprocal Enforcement of Maintenance Orders Act, 1963 (Act 80 of 1963) should be held under section 10 of the Maintenance Act, 1998 (Act 99 of 1998), in the absence of the person residing in a proclaimed country or territory who may be legally liable to maintain any person in the Republic.

The evidence of all witnesses at the enquiry should be read over, adhered to and signed by them.

## **WHAT IS A PROCLAIMED COUNTRY OR TERRITORY?**

- Some countries have special arrangements with South Africa, so that maintenance orders granted in one country can be enforced in the other.
- A country that is part of this arrangement is a proclaimed or designated country.
- It takes approximately 12 months for an order to be registered in proclaimed countries.

## **WHAT DOCUMENTATION MUST BE FORWARDED TO HEAD OFFICE?**

The following documentation are required in respect of the proclaimed countries and territories:

- a) Four certified copies of the provisional court order.
- b) An affidavit by the complainant or an officer of the court as to the amount of arrears due under the order.
- c) The deposition affidavit or evidence of the complainant.
- d) Birth certificate (s) of the child or children.
- e) The marriage certificate (if applicable).
- f) A photograph and description of the defendant.
- g) The exhibits referred to in the complainant's deposition, affidavit or evidence duly endorsed as prescribed above.
- h) Three certified copies of the documents referred to in (b) and (c) above and in the event of the High Court, four copies as well as an additional copy of the order of court are required.
- i) Physical residential and or working address of the defendant in a proclaimed country.

Following Countries:

New South Wales  
State of Queensland  
Tasmania  
Western Australia

British Columbia  
North West Territories

Cyprus  
Germany  
Hong Kong  
Isle of Man  
Lesotho  
Mauritius  
New Zealand  
Norfolk Island  
Singapore  
Swaziland

Northern Ireland  
Wales

Florida  
Zimbabwe

A few countries which are to be exempted from the Maintenance Order Act,

# MAINTENANCE

RECIPROCAL ENFORCEMENT OF  
MAINTENANCE ORDERS ACT, 1963  
(ACT 80 OF 1963)



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