



Queensland

Maintenance Act 1965

Maintenance Regulations 1967

Current as at 1 January 1979

Information about this reprint

This regulation is reprinted as at 1 January 1979. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 have also been made to use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. A table of reprints is included in the endnotes.

Also see endnotes for information about when provisions commenced.

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

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Maintenance Regulations 1967

[as amended by all amendments that commenced on or before 1 January 1979]

Part I Preliminary

1 Short title

These Regulations may be cited as the *Maintenance Regulations 1967*.

2 Commencement

- (1) Subject to subregulation (2) of this Regulation, these Regulations shall come into operation on the date of commencement of the Act.
- (2) Where the Governor in Council, pursuant to subsection (2) of section 2 of the Act, by Proclamation fixes a date or dates for the commencement of Division 2 of Part III of the Act, or for the commencement of the several provisions of Part IV of the Act, later than the date fixed by the Proclamation under subsection (1) of section 2 of the Act for the commencement of the Act, then, in subregulation (1) of this Regulation, the term “date of commencement of the Act” means, in relation to any Regulations made for the purposes of Division 2 of Part III of the Act, or of any of the several provisions of Part IV of the Act, the date of the commencement of that Division or of that provision, so fixed.

3 Parts

These Regulations are divided into Parts and a Schedule as follows:—

PART I—PRELIMINARY (Regulations 1–6);

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PART II—LOCAL MAINTENANCE (Regulations 7–32);

PART III—INTERSTATE MAINTENANCE (Regulations 33–50);

PART IV—OVERSEAS MAINTENANCE (Regulations 51–75);

PART V—GENERAL (Regulations 76–78);

THE SCHEDULE.

4 Repeals and Savings

- (1) All Rules of Court made under “*The Maintenance Acts, 1949 to 1954*,” are hereby repealed.
- (2) All Regulations made under “*The Interstate Destitute Persons Relief Acts, 1914 to 1944*,” are hereby repealed as from the date Part III of these Regulations comes into operation.
- (3) All Regulations and Rules of Court made under “*The Maintenance Orders (Facilities for Enforcement) Acts, 1921 to 1959*,” are, except as hereinafter provided, hereby repealed as from the date Part IV of these Regulations comes into operation:

Provided that any such Regulations or Rules in force immediately prior to the date Part IV of these Regulations comes into operation shall continue and be of full force and effect for the purposes of subsections (4) and (5) of section five of the Act in relation to orders that were, prior to the commencement of Division 3 of Part IV of the Act, registered in the Supreme Court of Queensland under “*The Maintenance Orders (Facilities for Enforcement) Acts, 1921 to 1959*,” and were, immediately prior to the commencement of that Division, enforceable in that court or in a Magistrates Court of Queensland.

5 Interpretation

Without limiting the operation of “*The Acts Interpretation Acts, 1954 to 1962*,” in these Regulations, unless the context

otherwise indicates or requires, the following terms have the meanings set against them respectively, that is to say:—

“*Schedule*”—The Schedule to these Regulations;

“*The Act*”—“*The Maintenance Act of 1965.*”

6 Forms

- (1) The Forms set out in the Schedule to these Regulations shall be used for the purposes for which they are respectively designed.
- (2) Strict compliance with a Form in the Schedule is not necessary and substantial compliance is sufficient.
- (3) A Form shall be completed in accordance with any directions contained in that Form, and with such additions thereto and deletions therefrom as may be appropriate for the purpose for which the Form is used.

Part II Local Maintenance

7 Complaints

A complaint shall be sufficiently made for the purposes of the Act if the cause of complaint is stated in or to the effect of one of the forms in Form No. 1 of the Schedule, as appropriate.

8 Orders

In any order in Form No. 3, Form No. 6, Form No. 7, Form No. 8, Form No. 10, Form No. 11, or Form No. 12 of the Schedule the Preamble to the order shall include the matter set out in Form No. 2 of the Schedule, as appropriate.

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9 Nominal Orders

An order for the payment of a merely nominal amount of maintenance shall be in Form No. 3 of the Schedule.

10 Preliminary Orders

An order made *ex parte* for the preliminary maintenance of a child shall be in Form No. 4 of the Schedule.

11 Interim Orders

An interim order for the payment of maintenance pending the hearing and determination of a complaint shall be in Form No. 5 of the Schedule.

12 Maintenance Orders

An order for the maintenance of a person shall be in Form No. 6 of the Schedule.

13 Maintenance Orders—Children

An order for the maintenance of a child whose parents were not married to each other at the time of its conception and have not since married each other shall be in Form No. 7 of the Schedule.

14 Orders for payment of preliminary expenses

An order for the payment of preliminary expenses of a mother of a child to whose father she was not married at the time of its conception and whom she did not subsequently marry shall be in Form No. 8 or Form No. 9 of the Schedule, whichever is appropriate.

15 Orders for payment of funeral expenses of children

An order for the payment of funeral expenses of a child shall be in Form No. 10 of the Schedule.

16 Orders for payment of funeral expenses of unmarried mothers

An order for the payment of funeral expenses of the mother of a child to whose father she was not married at the time of its conception and whom she did not subsequently marry shall be in Form No. 11 of the Schedule.

17 Orders for payment of medical and the like expenses

An order for the payment of medical or the like expenses shall be in Form No. 12 of the Schedule.

18 Applications generally

Wherever, under the Act, an application may be made to the court for any purpose, and no specific Form for such application is prescribed by these Regulations, notice of the application may be given in Form No. 13 of the Schedule.

19 Application for discharge, suspension, or variation of orders

Notice of an application for the discharge, suspension, or variation of an order shall be in Form No. 14 of the Schedule.

20 Applications for revival of suspended orders

Notice of an application for the revival of a suspended order shall be in Form No. 15 of the Schedule.

21 Applications for annulment of affiliation orders

An order to show cause why an affiliation order should not be annulled shall be in Form No. 16 of the Schedule.

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22 Applications for discharge of orders apparently abandoned

An order to show cause why an order that appears to have been abandoned should not be discharged shall be in Form No. 17 of the Schedule.

26 Certificates of arrears

A certificate of arrears granted under section forty-five of the Act shall be in Form No. 21 of the Schedule.

28 Order for sale of goods

An order for the seizure and sale of goods, chattels or securities, or for the demand and receipt of annuities, rents and other moneys, shall be in Form No. 23 of the Schedule.

29 Attachment of earnings order

An attachment of earnings order shall be in Form No. 24 of the Schedule.

30 Cessation, &c., of attachment of earnings order

A notice that an attachment of earnings order has been suspended or varied or has ceased to have effect shall be in Form No. 25 of the Schedule.

31 Notice by employer that defendant is not his employee

A notice by a person to whom an attachment of earnings order is directed that the defendant is not, or is no longer, his employee shall be in Form No. 26 of the Schedule.

32 Order to attend for examination or to furnish particulars

An order to a defendant to attend before a court to be examined concerning his means and ability to comply with an order or to state to the court or to furnish to the court any other

particulars, and an order to a person who appears to be indebted to a defendant or to be his employer to furnish to the court any particulars shall be in Form No. 27 of the Schedule.

Part III Interstate Maintenance

33 Duties of the Collector, &c.

- (1) The duties of the Collector shall be—
 - (a) To keep a ledger or ledgers (which may be in the form of any convenient system, including a card index system) showing—
 - (i) All inter-State orders received by him for registration in Queensland, and a record of all matters and happenings relating to those orders of which he is informed;
 - (ii) All orders sent by him to a Collector in another Australian State, and a record of all matters and happenings relating to those orders of which he is informed;
 - (b) To pay to the persons entitled thereto all moneys received by him for or on behalf of those persons from another Australian State, or, as appropriate, remit such moneys to Assistant Collectors for payment to such persons;
 - (c) To remit moneys received by him for transmission to another Australian State to the Collector for that State; and
 - (d) To direct and supervise the operations of the Deputy Collector and Assistant Collectors.
- (2) The duties of the Deputy Collector and of Assistant Collectors shall be to carry out the directions of and be responsible to the Collector.

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34 Duties of Assistant Collectors

The duties of every Assistant Collector shall be—

- (a) To keep a cash book showing all moneys received by him—
 - (i) For transmission to another Australian State;
 - (ii) From another Australian State for payment to persons resident in his district,
and of the disposition thereof;
- (b) To remit to the Collector moneys received by him for transmission to another Australian State;
- (c) To pay to the persons entitled thereto all moneys received by him for or on behalf of those persons from another Australian State;
- (d) To keep a ledger or ledgers (which may be in the form of any convenient system, including a card index system) showing—
 - (i) All interstate orders received by him for registration in the Magistrates Court, and a record of all matters and happenings relating to those orders of which he is informed;
 - (ii) All orders sent by him to the Collector for transmission to another Australian State, and a record of all matters and happenings relating to those orders of which he is informed;
 - (iii) The amount due by any person paying or liable to pay moneys to the clerk of the court for the place to which he is appointed;
 - (iv) The amounts paid by such persons from time to time; and
 - (v) The amount (if any) due to any person to whom money is being paid or should be paid; and
- (e) To carry out the directions of and be responsible to the Collector.

35 Application to Collector to have order made enforceable in another Australian State

An application to the Collector by or on behalf of a complainant that a Queensland order be made enforceable in another Australian State shall be in Form No. 28 of the Schedule.

36 Request that order be made enforceable in another State

A request by the Collector that a Queensland order be made enforceable in another Australian State shall be in Form No. 29 of the Schedule.

37 Request that order be made not enforceable in another State

A request by the Collector that a Queensland order be made no longer enforceable in another Australian State shall be in Form No. 30 of the Schedule.

38 Collector's Certificate

A Collector's Certificate in respect of a Queensland order shall be in Form No. 31 of the Schedule.

39 Request for registration of interstate order

A request by the Collector to a clerk of the court that an interstate order be registered in a Magistrates Court in Queensland shall be in Form No. 32 of the Schedule.

40 Notification of registration of an interstate order

A notification by the Collector to a Collector in another Australian State that an interstate order has been registered in a Magistrates Court in Queensland shall be in Form No. 33 of the Schedule.

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41 Notice to defendant of registration of interstate order

A notice by the clerk of the court to the defendant of the registration of an interstate order shall be in form No. 34 of the Schedule.

42 Application for variation, &c., of an interstate order or of a Queensland order enforceable interstate

An application for the discharge, suspension, variation, or revival of an interstate order or of a Queensland order that is enforceable in another Australian State shall be in Form No. 35 or Form No. 36 of the Schedule, whichever is appropriate.

43 Notice of further hearing

Where a Provisional order has been made in Queensland to discharge, suspend, vary, or revive an interstate order, or a Queensland order enforceable in another Australian State, and a court in another Australian State remits the Provisional order for the taking of further evidence, notice shall be given to the applicant for the Provisional order and to the Collector in Form No. 37 of the Schedule.

44 Notice of application for confirmation of a Provisional order made in another Australian State

A notice by the Collector that he intends to make application to a Magistrates Court to confirm a Provisional order made in another Australian State discharging, suspending, varying, or reviving an interstate order or a Queensland order enforceable in that other Australian State shall be in Form No. 38 of the Schedule.

45 Notice of further hearing

Where depositions taken by a court in another Australian State in connection with a Provisional order remitted to that Court for the taking of further evidence have been sent to a Magistrates Court in Queensland, the clerk of the court shall

send notice, in Form No. 39 of the Schedule, to the Collector and to the respondent, of the time and place when the matter will be further considered by the Court.

46 Notice remitting Provisional order

Where a Magistrates Court before which a Provisional order made in another Australian State comes for confirmation orders that the case be remitted for the taking of further evidence, the clerk of the court shall remit the case and send a notice in Form No. 40 of the Schedule setting out the matters in respect of which further evidence is necessary.

47 Notice of confirmation or discharge of a Provisional order

Where a Provisional order made in another Australian State has been confirmed (with or without modification), or has been discharged, by a Magistrates Court in Queensland, the clerk of the court shall send notice thereof, in Form No. 41 of the Schedule, to the court that made the Provisional order; and, where the Provisional order has been discharged, shall also send to the lastmentioned court a copy of the evidence taken in the proceedings in which the Provisional order was discharged.

48 Request for enforcement of interstate order

A request by the Collector to a clerk of the court to enforce an interstate order enforceable in that court shall be in Form No. 42 of the Schedule.

49 Transfer of interstate orders

Where an interstate order is enforceable in a Magistrates Court in Queensland and the order is transferred to another Magistrates Court in Queensland, a notice by the clerk of the court to the defendant of the transfer of the order shall be in Form No. 51 of the Schedule.

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50 Notice of changes affecting interstate orders, &c.

Where the operation of a Queensland order enforceable in another Australian State, or of an interstate order enforceable in Queensland, is affected by an order (other than a Provisional order) event, or other matter made, occurring, or arising in Queensland, the notice by the Collector to the Collector in the other Australian State shall be in Form No. 52 of the Schedule.

Part IV Overseas Maintenance

51 Duties of the Collector, &c.

- (1) The duties of the Collector shall be—
 - (a) To keep a ledger or ledgers (which may be in the form of any convenient system, including a card index system) showing—
 - (i) All overseas orders received by him for registration or confirmation in Queensland, and a record of all matters and happenings relating to those orders of which he is informed;
 - (ii) All orders sent by him to the Under Secretary for transmission to a reciprocating country, and a record of all matters and happenings relating to those orders of which he is informed;
 - (b) To pay to the persons entitled thereto all moneys received by him from a reciprocating country for and on behalf of persons resident in Queensland, or, as appropriate, remit such moneys to Assistant Collectors for payment to such persons;
 - (c) To remit to the appropriate authority in a reciprocating country all moneys received by him for payment to persons resident in that country; and

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- (d) To direct and supervise the operations of the Deputy Collector and Assistant Collectors.
 - (2) The duties of the Deputy Collector shall be to carry out the directions of and be responsible to the Collector.

52 Duties of Assistant Collectors

The duties of every Assistant Collector shall be—

- (a) To keep a cash book showing all moneys received by him—
 - (i) For transmission to a reciprocating country;
 - (ii) From a reciprocating country for payment to persons resident in his district;and of the disposition thereof;
- (b) To remit to the Collector moneys received by him for transmission to a reciprocating country;
- (c) To pay to the persons entitled thereto all moneys received by him for or on behalf of those persons from a reciprocating country;
- (d) To keep a ledger or ledgers (which may be in the form of any convenient system, including a card index system) showing—
 - (i) All overseas orders received by him for registration or confirmation in the Magistrates Court for the place to which he is appointed, and a record of all matters and happenings relating to those orders of which he is informed;
 - (ii) All orders sent by him to the Collector for transmission to a reciprocating country, and a record of all matters and happenings relating to those orders of which he is informed;
 - (iii) The amounts due by any person paying or liable to pay moneys to the clerk of the court for the place to which he is appointed;

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- (iv) The amounts paid by such persons from time to time; and
- (v) The amount (if any) due to any person to whom money is being paid; and
- (e) To carry out the directions of and be responsible to the Collector.

53 Application to Collector to take steps to have a Queensland order made enforceable in a reciprocating country

An application to the Collector by or on behalf of a complainant that a Queensland order be made enforceable in a reciprocating country shall be in Form No. 28 of the Schedule.

54 Collector's Certificate

A Collector's Certificate in respect of a Queensland order or of an overseas order enforceable in Queensland shall be in Form No. 31 of the Schedule.

55 Request to Under Secretary to have Queensland order made enforceable in a reciprocating country

A request by the Collector that the Under Secretary seek to have a Queensland order made enforceable in a reciprocating country shall be in Form No. 43 of the Schedule.

56 Application for Provisional order

An application to a Magistrates Court for a maintenance order against a person who is resident in or is proceeding to a reciprocating country shall be in Form No. 44 of the Schedule.

57 Provisional maintenance order

A provisional maintenance order made against a person resident in or proceeding to a reciprocating country shall be in Form No. 45 of the Schedule.

58 Statement of grounds on which the making of a maintenance order could have been opposed

The statement of the grounds on which the making of a maintenance order against a person resident in or proceeding to a reciprocating country could have been opposed if the defendant had appeared at the hearing shall, so far as applicable, include the matters set out in Form No. 46 of the Schedule.

59 Notice of further hearing

Where a Provisional order of maintenance has been made in Queensland against a person resident in or proceeding to a reciprocating country, or a Provisional order of discharge, suspension, variation, or revival, of an overseas order enforceable in Queensland, or of a Queensland order enforceable in a reciprocating country, has been made in Queensland, and a court in another Australian State or in a reciprocating country remits the Provisional order for the taking of further evidence in Queensland, notice shall be given in Form No. 37 of the Schedule to the Collector and to the applicant for the Provisional order.

60 Request that order be made not enforceable in a reciprocating country

Where a Queensland order is enforceable in a reciprocating country, a request by the Collector to the Under Secretary that the order be made no longer enforceable in that reciprocating country shall be in Form No. 47 of the Schedule.

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61 Request for registration of overseas order

A request by the Collector to a clerk of the court that an overseas order be registered in the Magistrates Court shall be in Form No. 32 of the Schedule.

62 Notification of registration of an overseas order

A notification by the Collector to a Collector in another Australian State or to an officer of a court or other authority in a reciprocating country that an overseas order has been registered in a Magistrates Court in Queensland shall be in Form No. 33 of the Schedule.

63 Notice to defendant of registration of an overseas order

Where an overseas order is registered in a Magistrates Court in Queensland, the clerk of the court shall notify the defendant in accordance with Form No. 34 of the Schedule.

64 Summons to show cause why a Provisional overseas order should not be confirmed

A summons to show cause why a Provisional order for maintenance made by a court in a reciprocating country against a defendant resident in Queensland should not be confirmed shall be in Form No. 48 of the Schedule.

65 Notice of further hearing

Where, at the request of a Magistrates Court in Queensland, a court in a reciprocating country has taken and remitted to the Magistrates Court further evidence taken on a Provisional order for maintenance (or discharge, suspension, variation, or revival of a maintenance order) made by the court in the reciprocating country, the clerk of the court shall, in Form No. 39 of the Schedule, notify the Collector and the defendant of the further hearing of the matter.

66 Notice remitting Provisional order

Where a Magistrates Court adjourns proceedings upon a Provisional order for maintenance (or discharge, suspension, variation or revival of a maintenance order) made in a reciprocating country, and remits the order to the court that made it with a request that that court take further evidence and further consider its Provisional order, the notice by the clerk of the court to the court that made the Provisional order shall be in Form No. 40 of the Schedule.

67 Notice of confirmation or discharge of a Provisional order made in a reciprocating country

Where a Provisional order made in a reciprocating country has been confirmed (with or without modification), or has been discharged, by a Magistrates Court in Queensland, the clerk of the court shall send notice thereof, in Form No. 41 of the Schedule, to the court that made the Provisional order; and, where the Provisional order has been discharged, shall also send to the lastmentioned court a copy of the evidence taken in the proceedings in which the Provisional order was discharged.

68 Request that an overseas order be made enforceable in another Australian State

Where an overseas order is enforceable in a Magistrates Court in Queensland, a request by the Collector to a Collector in another Australian State that the overseas order be made enforceable in that other State shall be in Form No. 29 of the Schedule.

69 Request for registration of overseas order registered or confirmed in another Australian State

A request by the Collector to a clerk of the court that an overseas order, registered or confirmed in another Australian State, be registered in a Magistrates Court in Queensland shall be in Form No. 32 of the Schedule.

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70 Request for enforcement of overseas order

A request by the Collector to a clerk of the court to enforce an overseas order enforceable in that court shall be in Form No. 42 of the Schedule.

71 Application for an order of variation, &c., of an overseas order

Where an overseas order is enforceable in Queensland, an application for the discharge, suspension, or variation of the order shall be in Form No. 49 of the Schedule.

72 Application for an order of variation, &c., of a Queensland order enforceable in a reciprocating country

Where a Queensland order is enforceable in a reciprocating country, an application for the variation or revival of the order shall be in Form No. 50 of the Schedule.

73 Notice of application for confirmation of a Provisional order made in a reciprocating country

A notice by the Collector that he intends to make application to a Magistrates Court to confirm a Provisional order made in a reciprocating country discharging, varying, suspending, or reviving, an overseas order, or a Queensland order enforceable in a reciprocating country, shall be in Form No. 38 of the Schedule.

74 Transfer of overseas order

Where an overseas order is enforceable in a Magistrates Court in Queensland and the order is transferred to another Magistrates Court in Queensland, a notice by the clerk of the court to the defendant of the transfer of the order shall be in Form No. 51 of the Schedule.

75 Notice of change affecting overseas orders, &c.

Where the operation of a Queensland order enforceable in a reciprocating country, or of an overseas order enforceable in Queensland, is affected by an order (other than a Provisional order) event, or other matter made, occurring, or arising in Queensland, the notice by the Collector to the appropriate authority in the reciprocating country shall be in Form No. 52 of the Schedule.

Part V General

76 Certificate of payment of arrears

A Certificate of the clerk of the court or the Collector as to amounts paid or unpaid under a maintenance order shall be in Form No. 53 of the Schedule.

77 Provisional orders

Where a Provisional order is made and no specific Form is provided therefor in these Regulations, the order shall be headed with the word "Provisional" and at the foot thereof shall be set out the following words:—

"THIS ORDER is Provisional only and shall have no effect unless and until confirmed (with or without modification) by a competent court in (naming the other Australian State or reciprocating country where the original order was made or the Provisional order is required to be confirmed)."

78 Orders in respect of children

Where an order is made under the Act (and whether as a Provisional order or as a final order) for the maintenance of a child, the order shall set out at the foot thereof the following words:—

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“NOTE—Unless a Court specifically orders the extension of a maintenance order alter a child’s sixteenth birthday, an order for the maintenance of a child ceases to have effect when the child attains the age of sixteen years, or dies, or is adopted, or the person against whom the order was made dies (whichever first occurs). See sections 25 and 26.”

The Schedule

[Form No. 1]

CAUSES OF COMPLAINT

NON-SUPPORT

(sections 10 and 13)

She (he), the said _____, was left by her husband (his wife), _____ without adequate means of support provided by him (her) and is still so left.

(sections 11 and 12)

_____ and _____, children of the family of _____ were left by the said _____ without adequate means of support provided by him (her), and are still so left.

(sections 10 and 13)

_____, the husband (wife) of the said _____, is about to remove out of Queensland (into a distant part of Queensland) and leave the said _____ without adequate means of support provided by him (her).

(sections 11 and 12)

_____ and _____ are children of the family of _____, and that the said _____ is about to remove out of Queensland (into a distant part of Queensland) and leave the said _____ and _____ without adequate means of support provided by him (her).

CHILD

(sections 14 and 15)

_____ is the father (mother) of _____, a child to whose mother (father) he (she) was not married at the time of its conception and whom he (she) has not since married, and that the said _____ was left without adequate means of support provided by the said _____, and is still so left.

is the father (mother) of , a child to whose mother (father) he (she) was not married at the time of its conception and whom he (she) has not since married, and that the said is about to remove out of Queensland (into a distant part of Queensland) and leave the said without adequate means of support provided by him (her).

PRELIMINARY EXPENSES

(section 16)

is the father of the child the said is bearing (of , a child born to the said on the day of , 19 , at , in the said State.) (of a child stillborn to the said on the day of , 19 , at , in the said State.) and that the said has not made adequate provision for the payment of the preliminary expenses of the said in connection therewith.

(section 17)

and that it appears probable that the said child will, at the expiration of three months after birth, be without adequate means of support provided by the said .

FUNERAL EXPENSES

(section 18)

is the father (mother) of , a child of his (her) family, who died at , in the said State, on the day of , 19 , being then aged years, and that, at the date of the death of the said child,—

the said was entitled to receive payments from the said under an order for the maintenance of the said child, (an order for the maintenance of the said was in force under which the said was directed to make payments for the benefit of the said ,)

(there was in force an order under section twenty-one of “*The Maintenance Act of 1965*” directing the payment by

the said _____ of a nominal amount in respect of the
said child (the said _____),)

and that the said _____ has not made adequate provision for
the funeral expenses of the said child.

_____ is the father of a child that had quickened and was
stillborn to the said _____, at _____, in the said State,
on the _____ day of _____, 19____, on which date an
order for the maintenance of the said _____ was in force
against the said _____, and that the said _____ has not
made adequate provision for the funeral expenses of the said
child.

_____ is the father of a child to whose mother he was
not married at the time of its conception and whom he has not
since married that had quickened and was stillborn to the said
_____, at _____, in the said State, on the
_____ day of _____, 19____, and that the said
_____ has not made adequate provision for the funeral
expenses of the said child.

_____ is the father of one _____, a child to whose
mother he was not married at the time of its conception and
whom he has not since married, who died at _____, in the
said State, on the _____ day of _____,
19____, being then aged _____ years, and that the
said _____ has not made adequate provision for the funeral
expenses of the said child.

(section 19)

_____ is the father of one _____, a child to whose
mother he was not married at the time of its conception and
whom he has not since married, who died at _____, in the
said State, on the _____ day of _____,
19____, on which date there was in force an order for the
maintenance of the said child, made in the lifetime of the said
child, under which order the said _____ was
entitled to receive payments, and that the said _____ has
not made adequate provision for the funeral expenses of the said
child.

The Schedule

is the father of one , a child to whose mother he was not married at the time of its conception and whom he has not since married, born at , in the said State, on the day of , 19 , and that , the mother of the said child, died at , in the said State, on the day of , 19 , during and in consequence of her pregnancy (in consequence of the birth of the said child) and that the said has not made adequate provision for the funeral expenses of the said .

is the father of a child that had quickened and was stillborn at , in the said State, on the day of , 19 , and that , the mother of the said child, died at , in the said State, on the day of , 19 , during and in consequence of her pregnancy (in consequence of the stillbirth of the said child) and that the said has not made adequate provision for the funeral expenses of the said .

MEDICAL AND LIKE EXPENSES

(section 20)

, a person against whom an order (not being an order for preliminary expenses) has taken effect and is in force under Part II of "*The Maintenance Act of 1965*," has not made adequate provision for (towards) the cost of medical (surgical, &c.) care (treatment) that is (was) reasonably required to be rendered in respect of the said , the person for whose maintenance the said order was made, the cost of which care (treatment) will be (was) , and that the amount ordered to be paid for the maintenance of the said is not sufficient to enable adequate provision to be made thereout for (towards) the cost of that care (treatment).

, a person against whom an order for preliminary expenses has been made under "*The Maintenance Act of 1965*," in respect of , a child who has not attained the age of three months, has not made adequate provision for (towards) the cost of medical (surgical, &c.) care (treatment) that is reasonably required to be rendered in respect of that child, the cost of which care (treatment) will be , and that the amount ordered

to be paid for preliminary expenses was not sufficient to enable adequate provision to be made thereout for (towards) the cost of that care (treatment).

, a person against whom an order for preliminary expenses has been made under "*The Maintenance Act of 1965*," in respect of , a child who has attained the age of three months, did not make adequate provision for (towards) the cost of medical (surgical, &c.) care (treatment) that was reasonably required and was in fact rendered in respect of such child before he (she) attained that age, the cost of which care (treatment) was , and that the amount ordered to be paid for preliminary expenses was not sufficient to enable adequate provision to be made thereout for (towards) the cost of that care (treatment).

QUEENSLAND

[Form No. 2]

PREAMBLE TO ORDERS

DEFENDANT APPEARING

AND, on this day of , 19 , at , in the said State, the said , in pursuance of a summons (*or* warrant) issued in that behalf, and the said , having appeared before me;

DEFENDANT NOT APPEARING WHEN SUMMONED

AND, on this day of , 19 , at , in the said State, the said appears, but the said , although duly called, does not appear, and it is proved to me that the said has been duly served with a summons to attend here this day to answer to the said complaint, and that such service was effected a reasonable time before this day;

DEFENDANT NOT FOUND

AND, the said , having been summoned to appear at the Magistrates Court at , in the said State, on the day of , 19 , failed so to appear, in consequence whereof a warrant for his (*or* her) apprehension was issued;

(*or* AND a warrant having been issued on such complaint for the apprehension of the said ;)

AND, on this day of , 19 , at , in the said State, the said appears, but the said does not appear, and it is proved to me that, after strict enquiry and search, the said cannot be found;

QUEENSLAND

[Form No. 3]

“*The Maintenance Act of 1965*”

(Section 21)

NOMINAL MAINTENANCE ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, had left (*or* was about to leave) _____, his wife (*or* her husband, *or* a child (*or* children) of his (or her) family) without adequate means of support provided by him (*or* her);

*

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay weekly and every week to the Clerk of the Court at _____, in the said State, for the maintenance of the said _____ the nominal sum of _____;

AND that the said _____ do pay to the said Clerk of the Court the sum of _____ costs in that behalf on or before the _____ day of _____, 19____.

GIVEN under my hand at _____, in the said State, this
day of _____, 19____.

Stipendiary Magistrate.

* Insert additional preamble as set out in Form No. 2, as appropriate.

QUEENSLAND

[Form No. 4]

“*The Maintenance Act of 1965*”

(Section 23)

PRELIMINARY MAINTENANCE ORDER

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

WHEREAS, on the day of , 19 , complaint on oath was made that , of , in the said State, had left (*or* was about to leave) , a child (*or* children) of his (*or* her) family, without adequate means of support provided by him (*or* her);

AND NOW, on this day of , 19 , at , in the said State, the said appears, and it appears to me (*or* us) that the said is a child of the family of the said , and is in fact without adequate means of support provided by the said :

I (*or* WE) DO ORDER—

That the said do pay weekly and every week to the Clerk of the Court at , in the said State, for the maintenance of the said , the sum of , until the expiration of three months from the date of this order or until the making or refusal of an order for the maintenance of the said on the said complaint (whichever first occurs);

AND that the first of such payments shall be made on the day of , 19 , (*or* on the day following the day on which the summons (*or* warrant) issued consequent upon the said complaint shall have been served (*or* executed) on the said).

GIVEN under my (*or our*) hand (*or hands*) at _____, in the said
State, this _____ day of _____, 19 ____.

Stipendiary Magistrate.
or
Justice of the Peace
Justice of the Peace

QUEENSLAND

[Form No. 5]

“*The Maintenance Act of 1965*”

(Section 24)

INTERIM MAINTENANCE ORDER

In the Magistrates Court

at _____,

in the State of Queensland.

Complainant.

Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, had left (*or* was about to leave) _____, his wife (*or* her husband *or* a child (*or* children of his (*or* her) family), without adequate means of support provided by him (*or* her);

AND NOW, on this _____ day of _____, 19____, at _____, in the said State, I have adjourned (*or* further adjourned) the hearing of the said complaint until the _____ day of _____, 19____, being a period of adjournment of not less than seven days, and it appears to me that the said _____ is the wife (*or* husband *or* child of the family) of the said _____, and is in fact without adequate means of support provided by the said _____;

I DO ORDER—

That the said _____ do pay weekly and every week to the Clerk of the Court at _____, in the said State, for the maintenance of the said _____, the sum of _____, until the said _____ day of _____, 19____;

AND that the first of such payments shall be made on the _____ day of _____, 19____.

GIVEN under my hand at _____, in the said State, this day of _____, 19____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 6]

“*The Maintenance Act of 1965*”

(Sections, 10, 11, 12, 13)

MAINTENANCE ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, had left (*or* was about to leave) _____, his wife (*or* her husband or a child (*or* children) of his (*or* her) family, without adequate means of support provided by him (*or* her);

*

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay weekly and every week to the Clerk of the Court at _____, in the said State, for the maintenance of the said _____, the sum of _____;

AND that the first of such payments shall be made on the _____ day of _____, 19____;

AND that this maintenance order shall take effect from the _____ day of _____, 19____, and that the said _____ do pay to the said Clerk of the Court the sum of _____ past maintenance on _____ or before the _____ day of _____, 19____; (*or* at the rate of _____ weekly and every week, and that the first of such payments shall be made on the _____ day of _____, 19____;)

* Insert additional preamble as set out in Form No. 2, as appropriate.

The Schedule

AND that the said _____ do pay to the said Clerk of the Court
the sum of _____ costs in that behalf on or before the
day of _____, 19 ____ .

GIVEN under my hand at _____, in the said State, this
day of _____, 19 ____ .

Stipendiary Magistrate.

QUEENSLAND

[Form No. 7]

“*The Maintenance Act of 1965*”

(Sections 14 and 15)

MAINTENANCE ORDER—CHILD

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, is the father (*or* mother) of _____, a child whose mother (father) he (she) was not married at the time of its conception and whom he (she) has not since married, and that the said _____ had left (*or* was about to leave) the said child without adequate means of support provided by him (*or* her); (*or* that, the said child being then unborn, it appeared probable that the said child would, at the expiration of three months after birth, be without adequate means of support provided by the said _____);

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay weekly and every week to the Clerk of the Court at _____, in the said State, for the maintenance of the said _____, the sum of _____;

AND that the first of such payments shall be made on the _____ day of _____, 19____;

AND that this maintenance order shall take effect from the _____ day of _____, 19____, and that the said _____ do pay to the said Clerk of the Court the sum of _____ past maintenance, on or before the _____ day of _____, 19____;

* Insert additional preamble as set out in Form No. 2, as appropriate.

The Schedule

(*or* at the rate of _____ weekly and every week, and that the first of such payments shall be made on the _____ day of _____, 19 ____ ;)

AND that the said _____ do pay to the said Clerk of the Court the sum of _____ costs in that behalf on or before the _____ day of _____, 19 ____ .

GIVEN under my hand at _____, in the said State, this _____ day of _____, 19 ____ .

Stipendiary Magistrate.

QUEENSLAND

[Form No. 8]

“*The Maintenance Act of 1965*”

(Section 16)

ORDER FOR PAYMENT OF PRELIMINARY EXPENSES

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that the said _____ was pregnant by the said _____ (not being her husband), (*or* that the said _____ had been delivered of a child (*or* stillborn child) of whom the said _____ (not being her husband), was the father,) and that the said _____ had not made adequate provision for the payment of her preliminary expenses;

*

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay to the Clerk of the Court at _____, in the said State, for (*or* towards) the preliminary expenses of the said _____, the sum of _____, on or before the _____ day of _____, 19____, (*or* at the rate of _____ weekly and every week, and that the first of such payments shall be made on the _____ day of _____, 19____;)

AND that the said _____ do pay to the said Clerk of the Court the sum of _____ costs in that behalf on or before the _____ day of _____, 19____.

* Insert additional preamble as set out in Form No. 2, as appropriate.

The Schedule

GIVEN under my hand at _____, in the said State, this
day of _____, 19 ____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 9]

“*The Maintenance Act of 1965*”

(Section 16)

ORDER FOR PAYMENT OF PRELIMINARY EXPENSES

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, is the father of _____, a child to whose mother he was not married at the time of its conception and whom he has not since married, and that the said _____ had left (*or* was about to leave) the said child without adequate means of support provided by him;

AND WHEREAS, on the _____ day of _____, 19____, at _____, in the said State, at the hearing of the said complaint, a claim for preliminary expenses was made;

AND NOW, on this _____ day of _____, 19____, at _____, in the said State, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay to the Clerk of the Court at _____, in the said State, for (*or* towards) the preliminary expenses of the said _____, the sum of _____ on or before the _____ day of _____, 19____; (*or* at the rate of _____ weekly and every week and that the first of such payments shall be made on the _____ day of _____, 19____;)

GIVEN under my hand at _____, in the said State, this _____ day of _____, 19____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 10]

“*The Maintenance Act of 1965*”

(Section 18)

ORDER FOR PAYMENT OF FUNERAL EXPENSES OF CHILD

In the Magistrates Court

at _____,

in the State of Queensland.

Complainant.

Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, was the father (or mother) of _____, a child (of his (or her) family), (or the father of _____, a child to whose mother he was not married at the time of its conception and whom he has not since married) who died before attaining the age of sixteen years (or who was stillborn), and that the said _____ had not made adequate provision for the funeral expenses of the said child;

*

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay to the Clerk of the Court at _____, in the said State, for (or towards) the funeral expenses of the said _____, (child), the sum of _____, on or before the _____ day of _____, 19____; (or at the rate of _____ weekly and every week, and that the first of such payments shall be made on the _____ day of _____, 19____;)

AND that the said _____ do pay to the said Clerk of the Court the sum of _____ costs in that behalf on or before the _____ day of _____, 19____.

* Insert additional preamble as set out in Form No. 2, as appropriate.

GIVEN under my hand at _____, in the said State, this
day of _____, 19 ____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 11]

“*The Maintenance Act of 1965*”

(Section 19)

ORDER FOR PAYMENT OF FUNERAL EXPENSES OF UNMARRIED MOTHER

In the Magistrates Court

at _____,

in the State of Queensland.

Complainant.

Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____, of _____, in the said State, is the father of _____, a child (or of a stillborn child) to whose mother he was not married at the time of its conception and whom he has not since married, and that _____, the mother of the said child, died during and in consequence of her pregnancy, (or in consequence of the birth (or stillbirth) of the child), and that the said _____ has not made adequate provision for the funeral expenses of the said _____ ;

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay to the Clerk of the Court at _____, in the said State, for (or towards) the funeral expenses of the said _____, the sum of _____, on or before the _____ day of _____, 19____; (or at the rate of _____ weekly and every week, and that the first of such payments shall be made on or before the _____ day of _____, 19____;)

AND that the said _____ do pay to the said Clerk of the Court the sum of _____ costs in that behalf on or before the _____ day of _____, 19____.

* Insert additional preamble as set out in Form No. 2, as appropriate.

GIVEN under my hand at _____, in the said State, this
day of _____, 19 ____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 12]

“*The Maintenance Act of 1965*”

(Section 20)

ORDER FOR PAYMENT OF MEDICAL EXPENSES

In the Magistrates Court

at _____,

in the State of Queensland.

Complainant.

Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made that _____ of _____, in the said State, is the husband (*or wife or father or mother*) of _____, and is a person against whom a maintenance order (*or nominal order*) was made and was in force (*or an order for preliminary expenses was made*), and that the said _____ has not made adequate provision for (*or towards*) the cost of medical (surgical, psychiatric, dental, hospital, nursing) care (*or treatment*) that is (*or was*) reasonably required to be rendered in respect of the said _____, and the cost of which care (*or treatment*) will be (*or was*) _____; (and that the amount ordered to be paid for preliminary expenses was not sufficient to enable adequate provision to be made thereout for the cost of that care (*or treatment*);)

*

AND, having heard the matter of the said complaint,

I DO ORDER—

That the said _____ do pay to the Clerk of the Court at _____, in the said State, for (*or towards*) the cost of the said medical (surgical, psychiatric, dental, hospital, nursing) care (*or treatment*) of the said _____, the sum of _____, on or before the _____ day of _____, 19____; (*or at the rate of _____ weekly and every week, and that the first of such payments shall be made on or before the _____ day of _____, 19____*);

* Insert additional preamble as set out in Form No. 2, as appropriate.

AND that the said do pay to the said Clerk of the Court the
sum of costs in that behalf on or before the
 day of , 19 ;

GIVEN under my hand at , in the said State,
this day of , 19 .

Stipendiary Magistrate.

QUEENSLAND

[Form No. 13]

“*The Maintenance Act of 1965*”

NOTICE OF APPLICATION

In the Magistrates Court
at _____,
in the State of Queensland.

Applicant.
Respondent.

TAKE NOTICE that I, _____, of _____, in the said State, intend to make application to the Magistrates Court at _____, in the said State, for an order pursuant to section _____ of “*The Maintenance Act of 1965*” that—

DATED at _____, this _____ day of _____, 19 ____.
Applicant.

To: The Clerk of the Court,
_____.

*NOTICE OF HEARING

To:

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at _____, on _____, the _____ day of _____, 19 ____, at _____ o'clock in the forenoon (afternoon).

DATED at _____, this _____ day of _____, 19 ____.
Clerk of the Court.

* Notice need not be given to the Respondent if the application may be made *ex parte*.

QUEENSLAND

[Form No. 14]

“*The Maintenance Act of 1965*”

(Sections 31 and 37)

NOTICE OF APPLICATION FOR DISCHARGE (OR SUSPENSION
OR VARIATION) OF ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS an order was made (*or* registered *or* confirmed) in the Magistrates Court at _____, in the said State, on the _____ day of _____, 19____, whereby the abovenamed Defendant was ordered _____.

AND WHEREAS the Order is now enforceable in the Magistrates Court at _____, in the said State;

TAKE NOTICE that I, _____, of _____, in the said State, intend to make application to the Magistrates Court at _____, in the said State, for an Order that the abovementioned Order be discharged (*or* suspended *or* varied) on the following grounds:—

DATED at _____, this day of _____, 19____.

Complainant (Defendant).

To: The Clerk of the Court,

_____.

NOTICE OF HEARING

To:

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at _____, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon).

The Schedule

DATED at _____, this _____ day of _____, 19 ____ .
Clerk of the Court.

QUEENSLAND

[Form No. 15]

“*The Maintenance Act of 1965*”

(Section 34)

NOTICE OF APPLICATION TO REVIVE SUSPENDED ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, in the Magistrates Court at _____, in the said State, an Order made (*or registered or confirmed*) in the Magistrates Court at _____, in the said State, on the _____ day of _____, 19____, was suspended until _____;

TAKE NOTICE that I, _____, of _____, in the said State, intend to make application in the Magistrates Court at _____, in the said State, for an Order that the suspended Order be revived.

DATED at _____, this _____ day of _____, 19____.

Complainant.

To: The Clerk of the Court,

NOTICE OF HEARING

To:

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at _____, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon).

DATED at _____, this _____ day of _____, 19____.

Clerk of the Court.

QUEENSLAND

[Form No. 16]

“*The Maintenance Act of 1965*”

(Section 35)

APPLICATION FOR ANNULMENT OF AFFILIATION
ORDER—ORDER TO SHOW CAUSE

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, an Order was made in the Magistrates Court at _____, in the said State that _____, of _____, in the said State, do pay _____ for the maintenance of _____, his child to whose mother he was not married at the time of its conception and whom he has not since married;

AND WHEREAS, on the _____ day of _____, in the Magistrates Court at _____, in the said State, an application was made by _____, for the annulment of the said order;

AND NOW, having heard the matter of the said application,

I DO CALL UPON _____, of _____, and _____, of _____, to show cause why the said Order should not be annulled.

(AND I DO ORDER that the said _____ do pay to the Clerk of the Court at _____, in the said State, the sum of _____ costs in that behalf on or before the _____ day of _____, 19____.)

GIVEN under my hand at _____, in the said State, this _____ day of _____, 19____.

Stipendiary Magistrate.

NOTICE OF HEARING

To: _____; and

TAKE NOTICE that the above matter has been set down for hearing at the Magistrates Court at _____, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon).

Clerk of the Court.

QUEENSLAND

[Form No. 17]

“*The Maintenance Act of 1965*”

(Section 36)

APPLICATION FOR DISCHARGE OF ORDER THAT APPEARS
TO HAVE BEEN ABANDONED—ORDER TO SHOW CAUSE

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, an Order was made
(*or* registered *or* confirmed) in the Magistrates Court at _____,
in the said State, that _____, of _____, in the said
State, do pay _____.

AND WHEREAS, on the _____ day of _____, 19____, in the
Magistrates Court at _____, in the said State, an application was made
by the Clerk of the Court at _____ for the discharge of the said order
upon the ground that the order appears to have been abandoned;

AND NOW, Having heard the matter of the said application,

I DO CALL UPON _____, of _____, and _____, of _____,
to show cause why the Order should not be so discharged.

GIVEN under my hand at _____, in the said State, this
day of _____, 19____.

Stipendiary Magistrate.

NOTICE OF HEARING

To: _____; and

TAKE NOTICE that the above matter has been set down for hearing at the
Magistrates Court at _____, on the _____ day of _____,
19____, at _____ o'clock in the forenoon (afternoon).

Clerk of the Court.

QUEENSLAND

[Form No. 21]

“The Maintenance Act of 1965”

(Section 45)

CERTIFICATE OF ARREARS

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

Name and Address of Complainant:

Name and Address of Defendant:

Court at which order made (registered or confirmed):

Date(s) of Order(s):

Particulars of Orders(s):

Name of person entitled to receive the money ordered to be paid:

It having been made to appear, on oath, to the undersigned, that a sum of money due under the above order(s) is unpaid, I do hereby certify that the sum due under the said Order(s) and unpaid at the date hereof is

DATED at _____, this _____ day of _____, 19 ____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 23]

“*The Maintenance Act of 1965*”

(Section 47)

ORDER FOR SALE OF GOODS, ETC.

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To:

_____ of _____.

UPON application made to me by _____, of _____, in the said State, (on behalf of _____, of _____, in the said State), a person for whose benefit a maintenance order was made (*or registered or confirmed*) in the Magistrates Court at _____, in the said State, on the day of _____, 19____, and is for the time being in force:

AND having heard the matter of the said application,

I DO HEREBY authorise and direct you during the operation of the order and from time to time, if necessary, to seize and sell, to the extent necessary to satisfy the said order, any goods, chattels and securities belonging to the said defendant (and to demand and receive to that extent any annuity, rents, or other income (not being “earnings” within the meaning of Division 2 of Part III of “*The Maintenance Act of 1965*”) payable to the said defendant and any moneys credited to the said defendant in any bank account or other like account) and to apply the proceeds of any such sale or any moneys so received, after deducting therefrom your costs and charges in that behalf, towards the payment of the amounts required to be paid under the said order, and for so doing this shall be your sufficient authority.

DATED at _____, in the said State, this _____ day of _____, 19____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 24]

“The Maintenance Act of 1965”

(Section 49)

ATTACHMENT OF EARNINGS ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To:

_____ of _____ ;

AND to the Defendant.

WHEREAS:

1. An order was made (*or* registered or confirmed) in the Magistrates Court at _____, in the said State, on the _____ day of _____, 19____, whereby the abovenamed defendant was ordered to pay weekly and every week for the maintenance of _____, the sum of _____.

2. The said defendant has not paid certain of the sums due and payable under the order, amounting to _____, as on the _____ day of _____, 19____;

3. The said defendant is employed by _____, at _____, in the said State, as a _____, and is a person to whom earnings are payable or are likely to become payable by the said _____;

4. The description of the defendant is as follows:

I DO ORDER:

1. That you, the said _____, on each pay-day whilst the defendant is employed by you or until this order ceases to have effect, do make payments out of the earnings of the said defendant in accordance with Division 2 of Part III of *“The Maintenance Act of 1965,”* to the Clerk of the Court at _____, in the said State, for or towards the moneys

The Schedule

falling due and payable by the Defendant from time to time under the said maintenance order;

2. That for the purpose of calculating those payments, the normal deduction rate shall be _____ per week, and that the protected earnings rate shall be _____ per week.

DATED at _____, in the said State, this _____ day of _____, 19 ____.

Stipendiary Magistrate.

NOTE.—Section 47 (1) of “*The Maintenance Act of 1965*” provides—

“An attachment of earnings order shall be served on—

(a) The defendant; and

(b) The person to whom the attachment of earnings order is directed, and shall not come into force until the expiration of seven days after the day on which a copy of the order is served on the person to whom the order is directed.”

QUEENSLAND

[Form No. 25]

“The Maintenance Act of 1965”

(Section 53)

NOTICE OF SUSPENSION, VARIATION, OR CESSATION OF
ATTACHMENT OF EARNINGS ORDER

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

To:

of

TAKE NOTICE that the attachment of earnings order made herein on the
day of , 19 , whereby was ordered to
make payments for or towards the moneys falling due and payable from
time to time under the maintenance order herein out of earnings payable to
the said defendant *was, on the day of , 19 ,
suspended (*or* varied) as follows, that is to say—

*ceased to have effect on the day of , 19 , by
reason of the fact that .

DATED at , in the said State, this day of
, 19 .

Clerk of the Court.

NOTE.—Section 53 (7) of *“The Maintenance Act of 1965”* provides—

“Where an attachment of earnings order ceases to have effect, the
person to whom the attachment of earnings order is directed shall not incur
any liability in consequence of his treating the order as still in force at any

* Delete whichever is inapplicable.

time before the expiration of seven days after the date on which the notice required by subsection (6) of this section is served on him.”

QUEENSLAND

[Form No. 26]

“*The Maintenance Act of 1965*”

(Section 56)

NOTICE BY EMPLOYER THAT PERSON NOT IN HIS EMPLOY

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To: The Clerk of the Court,
_____.

WHEREAS, by an attachment of earnings order made in the Magistrates Court at _____, in the said State, on the _____ day of _____, 19____, under the provisions of Division 2 of Part III of “*The Maintenance Act of 1965*,” I was directed to make payment to the Clerk of the Court at _____, in the said State, out of the earnings of the said defendant,

I HEREBY give notice under subsection (2) of section 56 of the said Act that—

* I am not, and was not, on the _____ day of _____, 19____, when the said order was served upon me, the employer of the said Defendant within the meaning of the said Act.

* On the _____ day of _____, 19____, I ceased to be the employer of the said defendant within the meaning of the said Act.

DATED at _____, this _____ day of _____, 19____.

* Delete whichever is inapplicable.

QUEENSLAND

[Form No. 27]

“*The Maintenance Act of 1965*”

(Section 126)

ORDER TO ATTEND FOR EXAMINATION (OR FURNISH PARTICULARS)

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

To:

of

WHEREAS in the Magistrates Court at , in the said State, on the day of , 19 , an order was made (*or registered or confirmed*) against the defendant under “*The Maintenance Act of 1965*” for the payment of for the maintenance of :
(*or* WHEREAS on the day of , 19 , complaint on oath was made that):

YOU ARE HEREBY DIRECTED, in pursuance of section 126 of the said Act—

- * To attend before the Magistrates Court at , in the said State, on the day of , 19 , at o'clock in the fore(after) noon, to be examined concerning your means and ability to comply with the said Order:
- * To state to the Magistrates Court at , in the said State, on the day of , 19 , the following particulars, namely,
:
- * To furnish to the Magistrates Court at , in the said State, on or before the day of , 19 , a statement in writing signed by you setting forth the following particulars, namely
:

* Strike out if inapplicable.

* Being a person who appears to be indebted to the said defendant (*or* the employer of the said defendant), to give to the Magistrates Court at _____, in the said State, on or before the day of _____, 19____, a statement in writing signed by you or on your behalf containing the following particulars of your indebtedness to the said defendant (*or* of the earnings of the said defendant), namely _____.

DATED at _____, in the said State, this _____ day of _____, 19____.

Stipendiary Magistrate.

QUEENSLAND

[Form No. 28]

“*The Maintenance Act of 1965*”

(Sections 72 and 82)

APPLICATION FOR ENFORCEMENT OF ORDER OUTSIDE QUEENSLAND

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

To:

WHEREAS the undermentioned order is presently enforceable in Queensland and is not presently enforceable in any other Australian State, and the defendant is resident at , in (or is proceeding to);

I HEREBY request that you send to , the documents necessary under “*The Maintenance Act of 1965*” to enable the order to be made enforceable in .

DATED at , this day of , 19 .

Applicant.

PARTICULARS OF ORDER

Court by which made:

Court by which registered (or confirmed):

Date of order:

Date of registration (or confirmation) of order:

Full name of Defendant:

Address of Defendant (if known):

Amount of order:

Moneys due and unpaid:

DESCRIPTION OF DEFENDANT

1. Age:
2. Height:
3. Build:
4. Complexion:
5. Hair (colour &c.):
6. Eyes (colour &c.):
7. Any distinguishing marks:
8. Occupation:
9. Photograph (if available):

QUEENSLAND

[Form No. 29]

“*The Maintenance Act of 1965*”

(Sections 72 and 87)

REQUEST THAT ORDER BE MADE ENFORCEABLE IN ANOTHER STATE
In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To: The Collector of Maintenance,

at _____,

I enclose herewith—

- (a) Three certified copies of the order herein;
- (b) My certificate relating to the order;
- (c) Such information and material as I possess for facilitating the identification and ascertaining the whereabouts of the defendant,

and request that the order be made enforceable in the State (*or* Territory) of _____.

DATED at Brisbane, this _____ day of _____, 19 _____.

Collector of Maintenance for the State of Queensland.

QUEENSLAND

[Form No. 30]

“*The Maintenance Act of 1965*”

(Section 72)

REQUEST THAT ORDER BE MADE NOT ENFORCEABLE IN ANOTHER STATE

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

To: The Collector of Maintenance,

at

The order in the above case was made enforceable in your State (*or* Territory) at my request on the day of , 19 .

I request that the order be made no longer enforceable in the State (*or* Territory) of , for the following reasons, namely:—

DATED at Brisbane, this day of , 19 .

Collector of Maintenance for the State of Queensland.

QUEENSLAND

[Form No. 31]

“*The Maintenance Act of 1965*”

(Sections 72, 82 and 87)

COLLECTOR’S CERTIFICATE

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

I, _____, of _____, in the State of Queensland, certify as follows:—

1. I am the Collector of Maintenance for the State of Queensland under “*The Maintenance Act of 1965*”;

2. Attached to this Certificate are three certified copies of a maintenance order (and of an order (*or orders*) varying that maintenance order), particulars of which are as follows:—

*

3. The said maintenance order, as now in operation, is presently enforceable in the Magistrates Court at _____ in the State of Queensland in pursuance of “*The Maintenance Act of 1965*,” and is not presently enforceable in any State or Territory of the Commonwealth other than Queensland.

4. The present effect of the said maintenance order is to require the abovenamed defendant to pay to _____ the sum of \$ _____ each week for the maintenance of _____.

5. It has been made to appear to me that the defendant is resident in (*or proceeding to*) _____, in the State (*or Territory*) of _____.

6. There is now remaining due and unpaid under the maintenance order arrears of \$ _____ to (*being date last periodical payment fell due*).

* Set out particulars of the Court by which, and the date on which, the order was made, and, if made provisionally, the Court by which, and the date on which, it was confirmed, and, if not made by but registered in a Magistrates Court in Queensland, the Court by which, and the date on which, it was registered.

DATED at Brisbane this day of , 19 .

Collector of Maintenance for the State of Queensland.

QUEENSLAND

[Form No. 33]

“*The Maintenance Act of 1965*”

(Sections 73, 85 and 88)

NOTIFICATION OF REGISTRATION OF ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To: _____,
at _____.

The order in the abovementioned case was registered in the Magistrates Court at _____, in the State of Queensland, on the day of _____, 19____, in accordance with “*The Maintenance Act of 1965*,” and is now enforceable in the State of Queensland as if it were an order made in the said Court.

DATED at Brisbane, this _____ day of _____, 19____.

Collector of Maintenance for the State of Queensland.

QUEENSLAND

[Form No. 34]

“*The Maintenance Act of 1965*”

(Sections 73, 85 and 88)

NOTICE OF REGISTRATION OF INTERSTATE OR OVERSEAS ORDER IN
QUEENSLAND

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS an order was made against you in the _____ Court, at
_____, on the _____ day of _____, 19____, whereby

AND the order was registered in the Magistrates Court at _____, in the
State of Queensland, on the _____ day of _____, 19____, pursuant
to “*The Maintenance Act of 1965*”;

AND a certified copy of the order has been served upon you with this
notice;

TAKE NOTICE

- (a) That the maintenance order has been so registered and is enforceable against you in the State of Queensland pursuant to the said Act;
- (b) That the amount stated hereunder was due and unpaid under the order on the date specified in relation thereto; and
- (c) That the amount due and unpaid under the order and all moneys becoming due and payable thereunder whilst the order is enforceable in Queensland are payable to—

The Clerk of the Court,

at _____.

AND FURTHER TAKE NOTICE that if the amount stated hereunder is not paid forthwith, or you make default in payment of any moneys becoming due and payable under the order, proceedings may be taken against you in the said Court for the recovery thereof.

DATED at _____, this _____ day of _____, 19__.

Clerk of the Court.

Date	Particulars of Amount Due	\$	c
	Arrears under the order to		
	Costs as fixed by the Court		
	Total due		

To:

QUEENSLAND

[Form No. 35]

“*The Maintenance Act of 1965*”

(Section 75)

APPLICATION FOR AN ORDER OF VARIATION, ETC., OF AN INTERSTATE
ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS on the _____ day of _____, 19____, a maintenance order
(*or* maintenance orders) was (*or* were) made at _____, a court of
summary jurisdiction in the State (*or* Territory) of _____;

AND under the said order (*or* orders) the defendant was ordered to pay to
_____, at _____, weekly and every week, for or towards the
maintenance of each person referred to hereunder, the amount set out
against that person’s name:—

Wife (*or* husband):

Children:

AND the maintenance order (*or* orders) was (*or* were) last varied at
_____, in the State (*or* Territory) of _____, on the _____ day
of _____, 19____, in the following manner:—

AND the maintenance order (*or* orders) is (*or* are) presently enforceable in
the State of Queensland pursuant to Part IV of “*The Maintenance Act of*
1965”;

NOW, I, _____, of _____, in the said State, hereby make
application to the Magistrates Court at _____, in the said State, for an
order that the said maintenance order (*or* orders) be discharged (*or*
suspended *or* varied *or* revived as follows:—

);

upon the following grounds:—

*

DATED at _____, this _____ day of _____, 19 ____ .
Applicant.

NOTICE OF HEARING

To: The Collector of Maintenance,
Brisbane;

And to:

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at _____, on the _____ day of _____, 19 ____, at _____ o'clock in the forenoon (afternoon).

Clerk of the Court.

* If the Applicant intends to rely upon any of the matters set out in section 76 of "*The Maintenance Act of 1965*," those matters should also be set out.

QUEENSLAND

[Form No. 36]

“*The Maintenance Act of 1965*”

(Section 75)

APPLICATION FOR AN ORDER OF VARIATION, ETC., OF A QUEENSLAND
ORDER ENFORCEABLE INTERSTATE

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, a maintenance order (*or* maintenance orders) was (*or* were) made in the Magistrates Court at _____, in the said State;

AND under the said order (*or* orders) the defendant was ordered to pay to the Clerk of the Court at _____, weekly and every week, for or towards the maintenance of each person referred to hereunder, the amounts set out against that person's name:—

Wife (*or* husband):
Children:

AND the maintenance order (*or* orders) was (*or* were) last varied at _____, in the said State, on the _____ day of _____, 19____, in the following manner:—

AND the maintenance order (*or* orders) is (*or* are) presently enforceable in the State (*or* Territory) of _____;

NOW, I, _____ of _____, in the State of Queensland, hereby make application to the Magistrates Court at _____, in the State of Queensland, for an order that the maintenance order (*or* orders) be discharged (*or* suspended, *or* varied, *or* revived as follows:—

_____),

upon the following grounds:—

DATED at _____, in the State of Queensland, this _____ day
of _____, 19 ____.

Applicant.

NOTICE OF HEARING

To: The Collector of Maintenance,
Brisbane.

And to:

TAKE NOTICE that the above application has been set down for hearing at
the Magistrates Court at _____, on the _____ day of _____,
19 ____, at _____ o'clock in the forenoon (afternoon).

Clerk of the Court.

QUEENSLAND

[Form No. 37]

“*The Maintenance Act of 1965*”

(Sections 79, 83 and 96)

NOTICE OF FURTHER HEARING

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, the Provisional Order for maintenance (*or discharge or suspension or variation or revival of a maintenance order*) made in this Court on the _____ day of _____, 19____, on your application, has been remitted by _____ Court, at _____, with a request that further evidence be taken (which request and accompanying documents may be inspected at this Office).

TAKE NOTICE that you are therefore required to appear before the Magistrates Court at _____, in the State of Queensland, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon) to give further evidence to the Court touching the following matters:—

DATED at _____, this _____ day of _____, 19____.

Clerk of the Court.

To:

And to: The Collector,
Brisbane.

QUEENSLAND

[Form No. 38]

“*The Maintenance Act of 1965*”

(Sections 80 and 97)

NOTICE OF APPLICATION FOR AN ORDER TO CONFIRM A PROVISIONAL
ORDER MADE OUTSIDE QUEENSLAND

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, a maintenance order (*or* maintenance orders) was (*or* were) made in the _____ court at _____ in the State (*or* Territory *or* Country) of _____, (such country being a reciprocating country);

AND the said order (*or* orders) was (*or* were) registered (*or* confirmed) in the Magistrates Court at _____, in the State of Queensland, on the _____ day of _____, 19____);

AND, under the said order (*or* orders) the defendant was ordered to pay to _____, at _____, weekly and every week, for or towards the maintenance of each person referred to hereunder, the amount set against that person's name;

Wife (*or* husband):

Children:

And the maintenance order (*or* orders) was (*or* were) last varied at _____ in the State (*or* Territory) of _____, on the _____ day of _____ 19____, in the following manner:—

AND the maintenance order (*or* orders) was (*or* were), by a provisional order (*or* provisional orders) discharged (*or* suspended, *or* varied, *or* revived) at the _____ court at _____, in the State (*or* Territory *or* Country) of _____, on the _____ day of _____, 19____, as follows:—

AND I have received a certified copy (*or* certified copies) of the provisional order (*or* orders) together with the depositions of the witnesses who gave

The Schedule

evidence at the hearing of the application upon which the provisional order (or orders) was (or were) made:

TAKE NOTICE that I, a Collector within the meaning of Part IV of “*The Maintenance Act of 1965*” intend to make application, on behalf of , the person on whose application the provisional order (or orders) was (or were) made in the State (or Territory or Country) of , to the Magistrates Court at , in the State of Queensland, a Court having jurisdiction in the matter, for an order (or orders) confirming the provisional order (or orders).

DATED at , this day of , 19 .

Collector.

To: The Clerk of the Court,

And to:

NOTICE OF HEARING

To: The Collector,

And to:

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at , on the day of , 19 , at o'clock in the forenoon (afternoon).

Clerk of the Court.

QUEENSLAND

[Form No. 39]

“*The Maintenance Act of 1965*”

(Sections 80, 86 and 97)

NOTICE OF FURTHER HEARING

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

TAKE NOTICE that certain depositions (which may be inspected by you at this Office) have now been forwarded to this Court by the _____ Court at _____, and that further consideration of the application for confirmation of the Provisional order for maintenance (*or* discharge *or* suspension *or* variation *or* revival of a maintenance order) made herein will be proceeded with in the Magistrates Court at _____, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon).

DATED at _____, this _____ day of _____, 19____.

Clerk of the Court.

To: The Collector of Maintenance,
Brisbane.

And to:

QUEENSLAND

[Form No. 40]

“*The Maintenance Act of 1965*”

(Sections 80, 86 and 97)

NOTICE REMITTING PROVISIONAL ORDER

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

WHEREAS on the hearing of an application for confirmation of a Provisional order for maintenance (*or discharge or suspension or variation or revival of a maintenance order*) the Magistrates Court at , in the State of Queensland, on the day of , 19 , ordered that the Provisional Order be remitted to the Court that made the Provisional Order for the taking of further evidence and for further consideration of the Provisional Order.

NOW, THEREFORE, I remit the case to you accordingly together with a copy of the evidence taken upon the application and request that the Court that made the Provisional Order do take further evidence on the following matters:—

and further consider its Provisional Order.

DATED at , this day of , 19 .

Clerk of the Court.

To: The Clerk of the Court,

QUEENSLAND

[Form No. 41]

“*The Maintenance Act of 1965*”

(Sections 80, 86 and 97)

NOTICE OF CONFIRMATION OR DISCHARGE OF PROVISIONAL ORDER

In the Magistrates Court

at _____,
in the State of Queensland.

Complainant.

Defendant.

The Provisional Order for maintenance (*or discharge or suspension or variation or revival of a maintenance order*) came before the Magistrates Court at _____, in the State of Queensland, on the _____ day of _____, 19____, for confirmation, and after due enquiry the Court ordered that the Provisional Order made in your Court on the _____ day of _____, 19____, be confirmed, (with the following modification, namely:— _____) (*or be discharged on the ground that _____, and a copy of the evidence taken in the proceedings is forwarded herewith.*)

DATED at _____, this _____ day of _____, 19____.

Clerk of the Court.

To: The Clerk of the Court,

at _____.

QUEENSLAND

[Form No. 42]

“*The Maintenance Act of 1965*”

(Sections 81 and 91)

REQUEST FOR ENFORCEMENT OF INTERSTATE OR OVERSEAS ORDER

In the Magistrates Court

at _____,
in the State of Queensland.

Complainant.
Defendant.

To: The Clerk of the Court,

WHEREAS, in the Magistrates Court at _____, in the State of Queensland, an interstate (*or* overseas) order against _____ was registered (*or* confirmed) whereby the said _____ was ordered _____
:

AND WHEREAS the said order is presently enforceable in the Magistrates Court at _____, in the said State,

I, _____, the Collector of Maintenance for the State of Queensland, hereby request you to take (and from time to time to continue to take) all steps necessary or expedient to enforce the order.

DATED at Brisbane, this _____ day of _____, 19 ____.

Collector.

QUEENSLAND

[Form No. 43]

“The Maintenance Act of 1965”

(Section 82)

REQUEST THAT ORDER BE MADE ENFORCEABLE IN A RECIPROCATING
COUNTRY

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To: The Under Secretary,
Department of Justice,
Brisbane.

I enclose hereunder—

- (a) Three certified copies of the within order;
- (b) My certificate relating to the order;
- (c) Such information and material as I possess for facilitating the identification and ascertaining the whereabouts, of the defendant,

and request that you should seek to have the order made enforceable in

DATED at Brisbane, this _____ day of _____, 19 ____.

Collector of Maintenance for the State of Queensland.

QUEENSLAND

[Form No. 44]

“*The Maintenance Act of 1965*”

(Section 83)

APPLICATION FOR A PROVISIONAL ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

I, _____, of _____, in the State of Queensland, hereby make application to the Magistrates Court at _____, in the said State, for a Maintenance order against _____, on the following grounds:—

*

The said _____ is resident at _____ (*or* is proceeding to _____), a reciprocating country within the meaning of Part IV of “*The Maintenance Act of 1965.*”

Complainant.

Notice of Hearing

To: _____, (Complainant).

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at _____, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon).

Clerk of the Court.

* Insert cause of complaint (as in complaint).

QUEENSLAND

[Form No. 45]

“The Maintenance Act of 1965”

(Section 83)

PROVISIONAL MAINTENANCE ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, complaint on oath was made before _____, a Justice of the Peace in and for the State of Queensland that * _____ ;

AND, on the _____ day of _____, 19____, application was made to the Magistrates Court at _____, in the said State, for a maintenance order against the said _____ ;

AND, having heard the matter of the said complaint and application, and it having been proved to me that the said _____ is resident in (*or is proceeding to*) _____, a reciprocating country within the meaning of *“The Maintenance Act of 1965”*;

I DO ORDER—

That the said _____ do pay weekly and every week to the Clerk of the Court at _____, in the said State, for the maintenance of the said _____, the sum of _____ ;

AND that the first of such payments shall be made on the day of _____, 19____ ;

AND that this maintenance order shall take effect from the day of _____, 19____, and that the said _____ do pay to the said Clerk of the Court the sum of _____ past maintenance on or before the day of _____, 19____ ; (*or at the rate of _____ weekly and every week, and that the first*

* Insert cause of complaint (as in complaint).

The Schedule

of such payments shall be made on the day of ,
19 ;)

AND that the said do pay to the said Clerk of the Court the
sum of costs in that behalf on or before the
 day of , 19 .

GIVEN under my hand at , in the State of Queensland, this
 day of , 19 .

Stipendiary Magistrate.

THIS ORDER is Provisional only and shall have no effect unless and until confirmed (either with or without modification) by a competent court in a reciprocating country in which the defendant is resident.

QUEENSLAND

[Form No. 46]

“*The Maintenance Act of 1965*”

(Section 83)

STATEMENT OF GROUNDS OF DEFENCE

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

The grounds upon which the making of the Order herein could have been opposed if the abovenamed defendant had appeared at the hearing of the proceedings on which the Order was made are—

1. That the said complainant is not in fact the wife (*or* husband) of the said defendant;
2. That the said child (*or* children) is (*or* are) not a * child (*or* children) of the family of the said defendant;
3. That the said defendant did provide and is providing the said complainant (*or* child *or* children) with adequate means of support;
4. That the said defendant had just cause or excuse for neglecting to provide the said complainant (*or* child *or* children) with adequate means of support;

* Section 7 of “*The Maintenance Act of 1965*” provides that—

A ***child of the family***, in relation to parties to a marriage, or to either of them and whether or not either party to the marriage is dead, means—

(a) Any child of both parties; and

(b) Any child of either party who has been accepted as one of the family by the other party;

and ***mother, father, and parent***, in relation to a child of the family, are to be construed accordingly.

For the purposes of the interpretation of ***child of the family***, a child of either party to the marriage shall, in the absence of proof to the contrary, be taken to have been accepted by the other party as one of the family if it is proved that at any time the child was ordinarily a member of the family household.

The Schedule

5. (Any other grounds that appear to be applicable).

DATED at _____, in the State of Queensland, this _____ day
of _____, 19 ____.

Stipendiary Magistrate.

To: _____ Court,
at _____.

QUEENSLAND

[Form No. 47]

“*The Maintenance Act of 1965*”

(Section 84)

REQUEST THAT ORDER BE MADE NOT ENFORCEABLE IN A RECIPROCATING
COUNTRY

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To: The Under Secretary,
Department of Justice,
Brisbane.

The Order in the abovementioned case was made enforceable in
_____, on the _____ day of _____, 19____. I am informed by
_____ that the defendant is not resident in (*or* proceeding to)
_____, but is resident in (*or* proceeding to) _____; *or* *
_____).

I accordingly request that the Order be made no longer enforceable in
_____.

DATED at Brisbane, this _____ day of _____, 19____.

Collector of Maintenance for the State of Queensland.

* State any other reason why the Order should not be enforceable in the country concerned.

QUEENSLAND

[Form No. 48]

“*The Maintenance Act of 1965*”

(Section 86)

SUMMONS TO SHOW CAUSE WHY A PROVISIONAL OVERSEAS
MAINTENANCE ORDER SHOULD NOT BE CONFIRMED

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To: _____,
of _____.

WHEREAS upon the application of the said complainant a Provisional Order for maintenance was made against you in the _____ Court at _____, on the _____ day of _____, 19____, under the provisions of _____ for the payment of _____ for or towards the maintenance of _____:

AND a certified copy of the said Order, together with depositions of witnesses and a statement of the grounds on which the Order could have been opposed (which documents may be inspected at the office of the Clerk of the Court at _____) have been received by the Collector of Maintenance for the State of Queensland in accordance with the provisions of “*The Maintenance Act of 1965*”:

NOW, THEREFORE, I command you to appear at the Magistrates Court at _____, in the State of Queensland, on the _____ day of _____, 19____, at _____ o'clock in the forenoon (afternoon) to show cause why the said Provisional Order made against you should not be confirmed.

DATED at _____, this _____ day of _____, 19____.

J.P.
Justice of the Peace.

QUEENSLAND

[Form No. 49]

“The Maintenance Act of 1965”

(Section 92)

APPLICATION FOR AN ORDER OF VARIATION, ETC., OF AN OVERSEAS
ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, a maintenance order (*or* maintenance orders) was (*or* were) made by the _____ Court at _____, a reciprocating country within the meaning of Part IV of *“The Maintenance Act of 1965”*;

AND under the said order (orders) the defendant was ordered to pay to _____, at _____, weekly and every week, for or towards the maintenance of each person referred to hereunder, the amount set out against that person’s name:—

Wife (*or* husband):

Children:

AND the said order (*or* orders) was (*or* were) registered (*or* confirmed as follows:—

_____),
in the Magistrates Court at _____, in the State of Queensland, on the _____ day of _____, 19____:

AND the said order (*or* orders) was (*or* were) last varied at _____, on the _____ day of _____, 19____, in the following manner:—

AND the said order (*or* orders) is (*or* are) presently enforceable in the State of Queensland pursuant to Part IV of *“The Maintenance Act of 1965”*;

NOW, I, _____, of _____, in the said State, hereby make application to the Magistrates Court at _____, in the said State, for an

The Schedule

order that the said order (*or* orders) be discharged, (*or* suspended *or* varied as follows:—

);

upon the following grounds:—

*

DATED at , this day of , 19 .

Applicant.

NOTICE OF HEARING

To the Collector of Maintenance,
Brisbane, and

To (Applicant).

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at , on the day of , 19 , at o'clock in the forenoon (afternoon).

Clerk of the Court.

* If the applicant intends to rely upon any of the matters set out in section 93 of "*The Maintenance Act of 1965*," those matters should also be set out.

QUEENSLAND

[Form No. 50]

“*The Maintenance Act of 1965*”

(Section 92)

APPLICATION FOR AN ORDER OF VARIATION, ETC., OF A QUEENSLAND
ORDER ENFORCEABLE OVERSEAS

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

WHEREAS, on the _____ day of _____, 19____, a maintenance order (*or* maintenance orders) was (*or* were) made in the Magistrates Court at _____ in the State of Queensland, AND under the said order (*or* orders) the defendant was ordered to pay to the Clerk of the Court at _____, weekly and every week, for or towards the maintenance of each person referred to hereunder, the amounts set out against that person’s name:—

Wife (*or* husband):

Children:

AND the said order (*or* orders) was (*or* were) registered (*or* confirmed as follows:—

_____),
in the _____ Court at _____, a reciprocating country within the meaning of Part IV of “*The Maintenance Act of 1965*,” on the _____ day of _____, 19____;

AND the said order (*or* orders) was (*or* were) last varied at _____, on the _____ day of _____, 19____, in the following manner:—

AND the said order (*or* orders) is (*or* are) presently enforceable in _____;
_____;

The Schedule

NOW, I, _____, of _____, in the said State, hereby make application to the Magistrates Court at _____, in the said State, for an order that the said order (*or* orders) be varied (*or* revived) as follows:—

_____ ;
upon the following grounds:—

DATED at _____, this _____ day of _____, 19 ____.

Applicant.

NOTICE OF HEARING

To The Collector of Maintenance,
Brisbane, and

To _____ (Applicant).

TAKE NOTICE that the above application has been set down for hearing at the Magistrates Court at _____, on the _____ day of _____, 19 ____, at _____ o'clock in the forenoon (afternoon).

Clerk of the Court.

QUEENSLAND

[Form No. 51]

“The Maintenance Act of 1965”

(Section 99)

NOTICE OF TRANSFER OF INTERSTATE OR OVERSEAS ORDER

In the Magistrates Court

at

in the State of Queensland.

Complainant.

Defendant.

WHEREAS: An order was made against you in the Court at
on the day of , 19 , whereby

AND the order was registered (*or confirmed*) in the Magistrates Court at
, in the State of Queensland, on the day of
, 19 , pursuant to *“The Maintenance Act of 1965”*;

AND on the day of , 19 , the Magistrates Court at
, in the said State, directed the transfer of the order to the
Magistrates Court at , in the said State;

AND a certified copy of that direction has been served upon you with this
notice:

TAKE NOTICE

- (a) That the amount stated hereunder was due and unpaid under the order on the date specified in relation thereto;
- (b) That the amount due and unpaid under the order and all moneys becoming due and payable thereunder are payable to—

The Clerk of the Court,
at ;

AND FURTHER TAKE NOTICE that if the amount stated hereunder is not paid forthwith, or you make default in payment of any moneys becoming due and payable under the order, proceedings may be taken against you in the said Court for the recovery thereof.

The Schedule

DATED at _____, this _____ day of _____, 19__.

Clerk of the Court.

Date	Particulars of Amount Due	\$	c
	Arrears under the order to		
	Costs as fixed by the Court		
	Total due		

To: _____.

QUEENSLAND

[Form No. 52]

“*The Maintenance Act of 1965*”

(Section 101)

NOTICE OF CHANGE AFFECTING ORDER

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

To:

TAKE NOTICE that the operation of the abovementioned Order, which is presently enforceable in the _____ Court at _____, has been affected by the following order (*or event or matter*) namely:—

DATED at Brisbane, this _____ day of _____, 19 ____.

Collector of Maintenance for the State of Queensland.

QUEENSLAND

[Form No. 53]

“*The Maintenance Act of 1965*”

(Sections 105 and 124)

CERTIFICATE OF ARREARS

In the Magistrates Court
at _____,
in the State of Queensland.

Complainant.
Defendant.

I, _____, of _____, in the State of Queensland certify that the records of the Magistrates Court at _____, in the State of Queensland, show as follows:—

1. Name and address of complainant:
2. Name and address of defendant:
3. Court in which order(s) made, registered, or confirmed:
4. Date(s) of order(s):
5. Particulars of order(s):
6. Total amount due and unpaid as at _____ :

DATED at Brisbane, this _____ day of _____, 19__.

Clerk of the Court.

or

Collector of Maintenance for the State of Queensland.

Endnotes

1 Index to endnotes

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 January 1979. Future amendments of the Maintenance Regulations 1967 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	rv	= revised edition
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Notes
0A	reg pubd gaz 16 December 1978 p 1858	1 January 1979	

5 List of legislation

Maintenance Regulations 1967

pubd gaz 7 October 1967 pp 399–440

exempted from application of Regulatory Reform Act 1986 by o in c pubd gaz 4 June 1988 p 899

exp 30 June 2012 (see SIA s 56(2) and SIR s 5 sch 3)

Note—The expiry date may have changed since this reprint was published. See the latest reprint of the SIR for any change.

amending legislation—

regulations published gazette (pre SL series)—

24 June 1978 p 998
commenced 17 July 1978

16 December 1978 p 1858
commenced 1 January 1979

6 List of annotations

Maintenance Orders—Children

prov hdg amd reg pubd gaz 16 December 1978 p 1858

s 13 amd reg pubd gaz 16 December 1978 p 1858

Orders for payment of preliminary expenses

s 14 amd reg pubd gaz 16 December 1978 p 1858

Orders for payment of funeral expenses of unmarried mothers

prov hdg sub reg pubd gaz 16 December 1978 p 1858

s 16 amd reg pubd gaz 16 December 1978 p 1858

Complaints for disobedience of maintenance orders

s 23 om reg pubd gaz 24 June 1978 p 998

Applications for enforcement of maintenance orders

s 24 om reg pubd gaz 24 June 1978 p 998

Warrants of commitment for disobedience of maintenance orders

s 25 om reg pubd gaz 24 June 1978 p 998

Recognizance to obey maintenance order

s 27 om reg pubd gaz 24 June 1978 p 998

THE SCHEDULE

Form 1 amd reg pubd gaz 16 December 1978 p 1858

Form 7 amd reg pubd gaz 16 December 1978 p 1858

Form 9 amd reg pubd gaz 16 December 1978 p 1858

Form 10 amd reg pubd gaz 16 December 1978 p 1858

Form 11 amd reg pubd gaz 16 December 1978 p 1858

Form 16 amd reg pubd gaz 16 December 1978 p 1858

Form 18 om reg pubd gaz 24 June 1978 p 998

Form 19 om reg pubd gaz 24 June 1978 p 998

Form 20 om reg pubd gaz 24 June 1978 p 998

Form 22 om reg pubd gaz 24 June 1978 p 998

Form 31 amd reg pubd gaz 24 June 1978 p 998

Form 34 amd reg pubd gaz 24 June 1978 p 998

Form 51 amd reg pubd gaz 24 June 1978 p 998

Form 53 amd reg pubd gaz 24 June 1978 p 998

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