

HIGH COMMISSIONER'S NOTICE No. 57 of 1923.

It is hereby notified for general information that His Royal Highness the High Commissioner has been pleased to approve of the subjoined Rules of Court which have been made by His Honour the Resident Commissioner for the Bechuanaland Protectorate by virtue of section six of the Maintenance Orders (Facilities for Enforcement) (Bechuanaland Protectorate) Proclamation 1921 (No. 76 of 1921).

By Command of His Royal Highness
the High Commissioner.

H. J. STANLEY,
Imperial Secretary.

High Commissioner's Office,
Capetown, 21st June, 1923.

PROVISIONAL RULES MADE UNDER THE MAINTENANCE
ORDERS (FACILITIES FOR ENFORCEMENT) (BECHU-
ANALAND PROTECTORATE) PROCLAMATION 1921
(No. 76 of 1921).

1. The copy of an Order made by a Court outside the Bechuanaland Protectorate and received by the Resident Commissioner under section one of the Maintenance Orders (Facilities for Enforcement) (Bechuanaland Protectorate) Proclamation 1921 (hereinafter referred to as "the Proclamation") shall be sent to the Registrar or Clerk of the Court of Assistant Commissioner or Magistrate of the district in which the Defendant is alleged to be living.

2. The copy of a Provisional Order made by a Court outside the Bechuanaland Protectorate and received by the Resident Commissioner under section four of the Proclamation shall be sent to the Court of Assistant Commissioner or Magistrate of the district in which the Defendant is alleged to be living, with the accompanying documents and a requisition for the issue of a summons.

3. The Registrar or Clerk of Court to whom any order is sent in accordance with the above Rules shall enter it in his register on the date on which he receives it in the same manner as though the Order had been made at his Court distinguishing it from the other entries in such manner as he may find most convenient, so as to show that it is entered in pursuance of the Proclamation.

4. When an Order provisionally made outside the Bechuanaland Protectorate has been confirmed with or without modification under section four of the Proclamation by a Court of Assistant Commissioner or Magistrate or the Court has decided not to confirm it, the Registrar or Clerk of the Court shall send notice thereof to the Court from which it was issued and also to the Resident Commissioner for transmission to the High Commissioner.

5. When an Order has been registered in a Court of Assistant Commissioner or Magistrate under section one of the Proclamation or a Provisional Order has been confirmed under section four, that Court shall, unless satisfied that it is undesirable to do so, direct that all payments due thereunder shall be made through an Officer of the Court, or such other person as it may specify for the purpose. Such direction may be given without any complaint or application.

6. The person through whom the payments are directed to be made shall collect the moneys under the Order and may take proceedings in his own name for enforcing payments and shall send the moneys when so collected, to the Court from which the Order originally issued. Provided that if the Court from which the Order originally issued is in England the moneys so collected shall be paid to the Crown Agents for the Colonies, in London, for transmission to the Officers of Court or other person to whom they are due.

7. When a Provisional Order made under section three of the Proclamation has been remitted under sub-section (4) of that section to a Court of Assistant Commissioner or Magistrate for the purpose of taking further evidence, notice specifying the further evidence required and the time and place fixed for taking it shall be sent by the Registrar or Clerk of the Court to the person on whose application the Provisional Order was made.

8. These Rules may be cited as the Bechuanaland Protectorate Maintenance Orders (Facilities for Enforcement) Rules 1923.