CHAPTER 6.

An Act to amend the Law relating to the Collection and Recovery of Moneys due under Affiliation Orders and for other purposes connected therewith.

[31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Appointment and duties of collecting officer in respect of affiliation orders.

1.—(1) There shall be appointed by the justices of each petty sessional division or borough for the purposes of this Act an officer of the court who shall carry out the duties of the collecting officer under this Act.

(2) Where the justices make an affiliation order, they shall, unless upon representations expressly made in that behalf by the applicant for the affiliation order they are satisfied that it is undesirable so to do, provide in the order that all payments thereunder shall be made to the collecting officer of the court, and, if the order so provides, all payments under the order shall be made to the collecting officer and not otherwise.

(3) It shall be the duty of the collecting officer to receive all such payments as may be directed to be made to him under this Act and to pay forthwith to the mother of the bastard child, or to such other person as is named in the affiliation order, the sum directed to be paid under the order, or such part thereof as he receives, without making any deduction therefrom, and, where any such payment or any part thereof is in arrear for seven days, the collecting officer shall give notice in writing to the person who is entitled under the affiliation order to receive that payment, stating the particulars of the arrears. Nothing in this Act shall affect the right of the mother or other person entitled to recover payments under the affiliation order to proceed against the putative father of the child to enforce payment of any sum due to such person, but, on the request in writing of the mother or other person entitled to recover payments under the affiliation order, it shall be lawful for the collecting officer to proceed in his name as such officer on behalf of the mother or such other person against the putative father for the recovery of payments under the affiliation order, and in any such case the liability of the person on whose behalf the proceedings are taken for all costs properly incurred in or about the proceedings shall be the same as if the proceedings had been taken by that person.

(4) Where an affiliation order has been made before the commencement of this Act, a court of summary jurisdiction may, in accordance with rules to be made under this Act, if it thinks fit, direct that all payments becoming due under such order shall be made to the collecting officer, and, where the court

directs the payments to be so made, the provisions of this section shall apply as if the affiliation order had been made after the commencement of this Act.

(5) Where a court of summary jurisdiction makes an order for the periodical payment of money through an officer of the court, the authority, having the control of the fund out of which the salary of the clerk of that court is paid, may pay to that officer out of that fund, in manner provided by rules made by the Secretary of State, a sum not exceeding five pounds per centum on the money actually paid through him in pursuance of the order, as remuneration to him in respect of the work done and expenses incurred by him in respect of the order.

(6) A provision in an affiliation order under this section with respect to the person to whom the payments under the affiliation order are to be made may, after complaint made at any time, be varied by a court of summary jurisdiction if good cause is shown by the person on whose application the affiliation order was made.

Attachment of pension or income.

2. When an affiliation order has been made, either before or after the commencement of this Act, the justices who made the order or any court of summary jurisdiction may, in any case where there is any pension or income payable to the person on whom the affiliation order has been made and capable of being attached, after giving the person to whom the pension or income is payable an opportunity of being heard, and provided that the court or justices, as the case may be, are satisfied that such person has, without reasonable cause, made a default under the order, order that such an amount each week as is specified in the affiliation order or any part of such amount be attached and be paid to the person named by the court. Such order shall be an authority to the person by whom such pension or income is payable to make the payment so ordered, and the receipt of the person to whom the payment is ordered to be made shall be a good discharge to such first-named person.

Payment under affiliation order to person having custody of child.

3. Notwithstanding anything in this or any other Act, an affiliation order may, on the application of the person for the time being having the custody of the child either legally or by any arrangement approved by the court, be made or varied by a court of summary jurisdiction so as to provide that the payments to be made thereunder shall be made to that person.

Notice of change of address.

4. The person on whom an affiliation order has been made shall, if he changes his address, give notice thereof to the collecting officer, if payment has been ordered to be made to him, and, if he fails to do so without reasonable excuse, he shall be liable on summary conviction to a fine not exceeding two pounds.

Amendments of law as to period between service of

5. In section three of the Bastardy Laws Amendment Act, 1872, the words "upon a day specified in such summons" shall be substituted for the words "after the expiration of six days

Summons and hearing 35 & 36 Vict c. 65. 36 & 37 Vict c. 9.

at least"; in section four of the same Act and in section five of the Bastardy Laws Amendment Act, 1873, the words "a reasonable time" shall be substituted for the words "six days at least."

New or altered form of proceedings

6.—(1) The Local Government Board may issue such new or altered forms of proceedings in matters of bastardy as they shall deem necessary or expedient for giving effect to the existing Acts relating to such proceedings as amended by this Act.

(2) The power given to the Lord Chancellor to make Rules under the Summary Jurisdiction Acts shall include a power to make Rules for the purpose of carrying this Act into effect and for dealing with costs, fees, and expenses.

Definition

7. In this Act, unless the context otherwise requires, the expression "affiliation order" means an order made under the Bastardy Laws Amendment Act, 1872, or any Act amending the same, adjudging a man to be the putative father of a bastard child and ordering him to pay a sum of money weekly or otherwise to the mother of the bastard child or to any other person who is named in the order.

Extent of Act.

8. This Act shall not apply to Scotland or Ireland.

Short title.

9. This Act may be cited as the Affiliation Orders Act, 1914.

CHAPTER 7.

An Act to extend the provisions of section eleven of the Agricultural Holdings Act, 1908, to the determination of tenancies in connection with the sale of holdings.

[31st July 1914.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Compensation for disturbance in connection with sale

1.—(1) Notwithstanding any agreement to the contrary, where the tenancy of a holding is terminated after the passing of this Act by notice to quit given after that date—

(*a*) in view of the sale or offering for sale of the holding or any part thereof; or

(*b*) by or at the request of the purchaser of the holding before the expiration of one calendar year after completion of the purchase of the holding for any reason other than the wrongful act or default of the tenant in relation to the holding;

the tenant shall be entitled to recover compensation in terms of, and subject to the provisions of, section eleven of the