
CHAPTER 5:09
MAINTENANCE ACT

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AN ACT to provide for the making of orders for maintenance of persons; to provide for the enforcement of maintenance orders; and to provide for matters incidental to or connected with the foregoing.

[Date of commencement: 1st December, 1971.]

PART I

2 Interpretation

“Dependant” if a dependant is related to a responsible person then that person is publicly allowed to maintain.

In relation to a responsible person money can be paid to a dependant in any form be it

- (a) Salary, wages, remuneration, allowances, and may also include fees, bonus, commission overtime pay and other forms of payments if desired.
- (b) Pension may include :
 - (i) An income, pay supplement, commutation of pension like allowances and refund of pension including interest for the past services or
 - (ii) Monthly payments for loss, abolition of claim or any reduction in reduction of emoluments or any office or employment.

“Employer” if a person is responsible and is a member of the state then his earnings are likely to be paid to the dependant.

PART II

MAINTENANCE ORDERS BY MAINTENANCE COURTS

3. Maintenance courts

Every magistrate court shall be a maintenance court for the purposes of this Act.

4 Summons to appear upon complaint or non-support

(1) If a complaint is made about a responsible person failing to provide fully for his /her dependant. The maintenance officer has the right to summon the responsible person to appear before the court giving reasons as to why the maintenance of the dependant should not be on him,

(2) A complaint in terms of subsection (1) may be laid by the dependant or by some other person having the care or custody of the dependant or by a probation officer.

5 Inquiry to be held into complaint

(1) On the day chosen in the order issued in *subsection 1 of section* four of the maintenance court. The maintenance court must look into the matter of the complaint.

(2) An inquiry referred to in subsection (1) shall be held in the presence of the responsible person or in his absence upon proof of the service requiring him to appear.

6. Making of an order

(1) At an inquiry referred to in section 5 the Maintenance Court may in line with this part make an order for the responsible person in relation to the periodical sums which he or she has to pay to the dependant which are reasonable with respect to the complaint which would have been made in section 4.

(2) The maintenance court shall not favour any dependant unless it is satisfied that

- (a) The responsible person is fully able to maintain the dependant.

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- (b) The responsible person is able to contribute to the maintenance of the dependant and
 - (c) The responsible person fails or neglects to pay maintenance to the dependant.

- (3) For the purpose of determining whether the responsible person is liable to maintain another person under the customary law the court shall regard:
 - (a) Husbands and wives having an equal role to play in each other's maintenance.
 - (b) The parents of the child having to maintain the child until he becomes self-supporting or attains the majority age.
- (4) In making that order the maintenance court shall look into
 - (a) standard of livelihood of the responsible person and the dependant, together with their social status;
 - (b) The earnings of the responsible person and the dependant;
 - (c) The number of people to be supported;
 - (d) whether the dependant's parents are able to work and whether if the dependant can work also.

(5) The maintenance court may express that the entire or any share of the payments necessary to be made shall be paid by the employer of the accountable person from earnings owing to that responsible person by the employer: Provided that no such direction shall be made against an employer unless—

(a) In the situation of a direction to pay a sum which amounts in the total to less than the minimum wages specified in terms of section 20 (“minimum wage notices”) of the Labour Act [*Chapter 28:01*]; [Paragraph amended by section 3 of Act 6 of 2005]

(b) In any other case—

- (i) He has been given notice of the proposal to make such way and a rational opportunity to explain why such direction should not be made; or
- (ii) He approves to the making of the direction.

(6) An Order

(a) Can express that payments in terms of the order shall be made through the clerk of the maintenance court where the order is registered in terms of section *eighteen* and, in such event, shall state the person to whom the clerk of the maintenance court shall send out payments received;

(b) Can be prepared to as to a lump sum or may allocate the amount which shall be paid in respect of any dependant in whose favour the order was made;

(c) may include such award as to the maintenance court which is reasonable for the payment of maintenance which is in arrears.

(7) Provided that, if no such person is stated in relation to the State, the notice shall be deemed to have been correctly given if it is served upon the Secretary of the Ministry by which the earnings of the responsible person are to be paid or are likely to become to be paid.

7 Effect of direction

(1) Despite subsection (1) of section 51 of the Children's Act [*Chapter 5:06*], a direction shall have priority over any other order of court requiring payments to be completed from the income owing to the responsible person.

(2) Where a direction has been made together with an employer, no part of income shall be useful to the resolution of any debt, including set-off, or in line with any agreement,

expressed or implied, or any agreement or instruction of any kind until all payments due in terms of the order have been made:

Provided that nothing in this subsection shall be regarded as relieving to an employer from the obligation to deny and make payments of employees' tax in accordance with section 73 of the Income Tax Act [*Chapter 23:06*].

(3) Subject to section *eight*, where a responsible person cease to be legally recognized to obtain any earnings from an employer against whom a direction has been made—

(a) that direction stops to have effect in the incident that employer; and

(1) (b) the responsible person shall make payments which were the subject of the direction and which are due to the dependant.

8 Variation or discharge of direction or order

(1) In line to this section, an argument for the difference or discharge of a direction or an order may be made to a maintenance officer of the maintenance court where the order is for the time being registered in terms of section *eighteen*.

(2) A claim referred to in subsection (1) shall—

(a) be on sworn statement; and

(3) Subject to subsections (4) and (5), an application has to be made to the maintenance officer in terms of this section, shall give notice is to be served on all persons affected by the direction or order, as they have to appear before the maintenance court on a date to be agreed on and to prove reasons why the application should not be approved.

(4) If the maintenance officer considers an application as playful or troublesome according to this section he can;

(a) refuse to give a notice to be served in terms of subsection (3); and

(b) transfer the request to the maintenance court.

(5) If the maintenance court believes that an application referred to it in terms of subsection *four*— (a) is playful or troublesome, it shall immediately and with no holding an inquiry in terms of subsection (6) order that the application be dismissed; or (b) is not playful or troublesome, it shall direct the maintenance officer to cause a notice to be served in terms of subsection (3), and subsections (6) to (8) shall thereafter apply and be followed.

(6) On the day agreed on in the notice referred to in subsection (3) the maintenance court shall look into the request or may take the matter to the maintenance court of the province or district where the person in whose favour the order or direction, as the case may be, was made, is residing.

(7) If the maintenance court holding an inquiry in terms of subsection (6) is happy that—

(a) there are no longer any reasons to continue with the claim, it may release the direction or order; or

(b) the means or conditions of any of the parties which could have been disturbed in the making of the direction or order or any difference thereof, it may vary the direction or order subject to subsections (3), (4), (5), (6) and (7) of section *six* which shall apply, *mutatis mutandis*, in relation to any such variation; or

(c) the method in which payments are to be made under the order or direction should be changed, it may be different from the order or direction appropriately, subject to subsections (5), (6) and (7) of section *six*, which shall apply, *mutatis mutandis*, in relation to any such variation.

(8) An inquiry referred to in subsection (6) shall be held in the presence of the responsible person or in his absence upon proof of the service upon him of the notice referred to in subsection (3).

9 Application for direction against employer

(1) Any person who has been supported by the court may apply to the maintenance officer of the maintenance court where the order is registered in terms of section *eighteen* for a direction to be made against the employer of the responsible person.

(2) Upon a claim referred to in subsection (1) being made to him, the maintenance officer shall issue a notice upon the responsible person and the employer, requesting them to appear before the maintenance court on a date to be agreed on in the notice and prove why the direction should not be made or to permit to the making of the direction.

(3) On the date specified in the notice referred to in subsection (2) and in the presence of the employer and the responsible person or in the proof of absence of either or both of them, as direction against the employer to make such payments in terms of the order, including any arrears, as the court may specify.

10 Adultery

The maintenance court may refuse to order which favours a spouse who would have committed adultery before or after making an order.

11 Termination of order

(1) Subject to subsection (4), an order made in favour of a child shall, legally be stopped if —

(a) the child dies or is adopted by another person; or

(b) in respect of a legal divorce between his parents or when an announcement is made which includes an order for the maintenance of the child; or

(c) The child marries; or

(d) Subject to subsection (2), the child attains the age of eighteen years.

If a maintenance court makes an order on behalf of a child who is eighteen years and who is being favoured in terms of section eight shall apply

(2) If a maintenance court makes makes an application for a person who is eighteen years and favour that person they are allowed to apply *mutatis mutandis* or extend that order for the period they see it fit.

(3) Subject to subsection (4), an order made in favour of a wife shall, with respect to the wife, be terminated when—

(a) the wife dies or remarries; or

(b) in the case of divorce or decision of a void marriage is; or

(c) an order of legal separation is made which includes an order for the maintenance of the wife.

(4) When an order favours more than one person and the amount of one person is to be shared, the order shall not stop with respect to any of those persons in circumstances specified in subsection (1) or (3) but shall remain in force until varied or discharged in accordance with section *eight*.

12 Variation and rescission of directions, orders, etc., made in absence of person

(1) Where a direction, order or application has been made, varied, extended, discharged or refused in the absence of—

(a) any person disturbed by this means; or

(b) the applicant at hand :

Such applications may apply to the maintenance officer of the maintenance court where the order concerned registered in terms of section *eighteen* or, if there is no such order, the applicant may rescind the direction, order, variation, extension, discharge or to rehear the application.

(2) An application made to a maintenance officer in terms of subsection (1) shall—

(a) be on affidavit; and

(b) state the reasons why the applicant did not appear in the investigations; and

(c) state the argument on which the differences, order or rehearing is sought.

(3) Where an application has been made to him in conditions of subsection (1), the maintenance officer shall issue a notice to be served on all persons likely to be affected by or as a result of the application, calling upon them to appear before the maintenance court on a date to be specified in the notice and to show cause why the application should not be granted.

(4) On the date specified in the notice referred to in subsection (3) the maintenance court shall look into the request or may refer the matter to the appropriate maintenance court where the person favoured by the court is residing at.

(5) The maintenance court holding an inquiry in terms of subsection (4) may, subject to subsections (3), (4), (5), (6) and (7) of section *six* which shall apply, *mutatis mutandis*, grant the application.

(6) An inquiry referred to in subsection (4) shall be held in the presence of the responsible person or in his absence upon proof of service upon him of the as referred to in subsection (3).

13 Procedure at inquiries in terms of this Part

At any inquiry in terms of this Part—

(a) any person may appear by himself or herself or be represented by a legal practitioner;

(b) put aside the regulations made in terms of section *thirty-two*, the proceeding shall be conducted in such manner and on such principles as the maintenance court sees it fit to do substantial justice and the maintenance court may call such witnesses as it considers necessary for the purpose;

(a) the maintenance court shall have power to summon for the attendance of any witness, to call for the production of any book or document as well as examining any witness on oath.

(d) the maintenance court may conduct other proceedings in private;

(e) a record of the proceedings shall be kept;

(f) the maintenance court may postpone the proceedings from time to time;

(g) the proceedings may be held in the absence of the person favoured by the court if the maintenance court is satisfied that such person or any other

(a) person having the care or custody of such person has been given notice of the inquiry

14 Witness failing to attend

(1) If any person who has been called to give evidence of any book or document before a maintenance court holding an inquiry in terms of this Part fails to attend or to remain in attendance until duly excused by the court and it appears to the maintenance court to charge that person, issue a warrant of arrest, arrested by police who will issue that person with a warrant which shall be produced in the maintenance court of law as evidence.

(2) A person referred to in subsection (1) shall be legally sentenced summarily by the maintenance court to pay a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

(3) If any person who has been subpoenaed to give evidence or to produce any book or document before a maintenance court holding an inquiry in terms of this Part refuses, without proper reasons, the obligation of proof to be sworn as a witness to answer fully and satisfactorily any question lawfully put to him, refuses or fails to produce any such book or document, the maintenance court may order that person to be detained in custody, as if he were a prisoner awaiting trial, for any period not exceeding eight days unless he admits sooner to do what is required of him.

(4) If a person referred to in subsection (3), upon being brought before the maintenance court at any adjourned hearing, again refuses or fails to do what is required of him, the maintenance court may postpone the inquiry and order that person to be detained until a person does what is required of him.

(5) Any person referred to in subsection (3) who refuses or fails to do what is required of him shall, in addition to being detained, shall be put in custody as provided in this section, be liable to be sentenced summarily by the maintenance court to pay a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both such fine and such imprisonment.

15 Witness giving false evidence

A person who in a complaint referred to in section *four* or in an affidavit referred to in section *eight* or a witness who, after being duly sworn at an inquiry held in terms of this Part, makes a statement of fact material to the question under consideration to the maintenance court, whether statement is false or true shall be guilty of an offence and liable to a fine not exceeding level seven or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

16 Contempt of maintenance court

If any person willingly insults the maintenance court during an inquiry held by it in terms of this Part or directly interrupts the inquiry or otherwise willingly disturbs the peace or order of such inquiry the maintenance court may— (a) order that person to be removed and detained in custody until the conclusion of the inquiry on that day;

(b) summarily impose upon that person a fine not exceeding level three or imprisonment for a period not exceeding one month or both such fine and such imprisonment.

17 Review of summary penalties

When a person is imprisoned in terms of section *fourteen* or *sixteen*, such imprisonment shall be a sentence referred to in paragraph (a) of subsection (1) of section 57 of the Magistrates Court Act [*Chapter 7:10*], and the record of the proceedings in the maintenance would be taken for review by a judge of the High Court in accordance with that section.

PART III ENFORCEMENT OF VARIOUS ORDERS FOR MAINTENANCE

18 Registration of orders

(1) The clerk of the maintenance court shall register—

(a) all orders made in terms of section *six* by the maintenance court;

(b) all orders transmitted to the maintenance court in terms of section *twenty*;

(c) all orders tendered for registration in terms of subsection (2).

(2) An order which is not the maintenance court based may not be based on favouritism to the remedies that may be there for that order. it was made for in the maintenance court of the province or district where the person resides in.

(3) Subject to subsection (4), where an order referred to in subsection (2) has been registered, sections *seven, eight, nine, nineteen, twenty, twenty-one* and *twenty-two* shall apply, *mutatis mutandis*, in relation to such order—

(a) as if it were an order made in terms of section *six*; and

(b) in the case of any person not following an order from the high court pertaining of any custody of a child which is about to end or has ended after reaching the age of eighteen the maintenance court may, upon application being made to it and upon due inquiry to which section *eight* shall apply, *mutatis mutandis*, extend the order for such period and subject to such conditions as it may think fit.

(4) Where a maintenance court differs, extends or releases an order of the High Court referred to in subsection (2)—

(a) it shall as soon as possible cause the proof of the proceedings to be forwarded to the registrar of the High Court for review by a judge in chambers who may—

(i) confirm, vary or set aside the order of the maintenance court; or

(ii) set aside the order of the maintenance court and remit the matter to that court with instructions to take such further proceedings as the judge may direct and thereafter to make such order as it thinks fit;

(b) the order of the maintenance court shall be suspended pending the review there of in terms of paragraph (a).

(5) The clerk of the maintenance court shall alter his register referred to in subsection (1) to reflect there in any variation, extension, discharge or transmission of the order to another court.

(6) The clerk of the maintenance court shall give notice to every person affected thereby of any direction, order or award made by a maintenance court, or any difference, extension, rescission or discharge thereof:

Provided that any failure to comply with this subsection shall not affect the legality of any such direction, order, award, variation extension, rescission or discharge.

19 Order to make future payments through clerk of court

(1) Where an order entails payments to be made through a clerk of the maintenance court, has been registered in terms of section *eighteen* and an affidavit is lodged with a maintenance officer a notice to the person against whom the order was made requiring him to appear before the maintenance court may be issued on a date to be specified in the notice and show reasons why he should not be ordered to make all payments in terms of the order through the clerk of the maintenance court or to consent to an order being made against him to do so.

(2) On the date specified in the notice referred to in subsection (1), if the person against whom the order was made—

(a) does not appear due to service of the notice upon him; or

(b) consents thereto; or

(c) does not show any remorse to the contrary;

the maintenance court may direct that all payments in terms of the order, including any payments which are in amount overdue, shall be made through the clerk of the maintenance court where the order is for the time being registered in terms of section *eighteen*.

(3) Where an order, other than an order which requires payments to be made through the clerk of the maintenance court, has been registered in terms of section *eighteen* and the person who is required to make payments there under lodges with the maintenance officer of the maintenance, all payments in terms of the order are to be made through the clerk of the maintenance court, the maintenance officer may issue a notice to the party in whose favour the order was made to appear before the maintenance court on a date to be specified in the

notice and to show cause why all payments in terms of the order should not be directed to the clerk of the maintenance court or to consent to such direction being made.

(4) On the date specified in the notice referred to in subsection (3), if the person in whose favour the order was made—

(a) does not appear and upon proof of the service of the notice upon him; or

(b) consents thereto; or

(c) does not show remorse to the contrary;

the maintenance court may direct that all payments in terms of the order, including any payments which are in amount overdue shall be made through the clerk of the maintenance court where the order is for the time being registered in terms of section *eighteen*.

20 Transmission of order to another province or district

(1) The clerk of the maintenance court may validate under his hand an order registered by him in terms of section *eighteen* and may transmit such order to the appropriate maintenance court of the province or district in which the person who is required to make payments in terms of the order is residing.

(2) On receipt of an order transmitted in terms of subsection (1) the clerk of the maintenance court concerned shall register the order in terms of section *eighteen*.

(3) When an order has been registered as required by subsection (2), the clerk of the maintenance court shall deliver a notice in writing to the person required to make payments in terms of the order informing him that the order has been registered at his court and, if such be the case in terms of the order, that in future all payments in terms of the order are required to be made through the clerk of that maintenance court.

21 Termination of employment and change of address to be notified

(1) Where a responsible person terminates his employment with, an employer against whom a claim has been made for, an employer shall, within seven days, inform in writing the clerk of the maintenance court where the order of the matter is registered in terms of section *eighteen* of such discharge or termination.

(2) A responsible person against whom an order which has been registered in terms of section *eighteen* has been made shall notify in writing the clerk of the maintenance court where the order is registered of the particulars of any change of his address or employment, within seven days of any such change.

(3) Any person who disobey subsection (1) or (2) shall be charged of an offence and answerable to a fine not exceeding level five or to imprisonment for a period not exceeding six months or to both fine and such imprisonment.

22 Civil enforcement of direction or order

(1) Every direction or order registered in terms of section *eighteen* shall have the effect of a legal order or a public judgment respectively of the magistrates court in favour of the clerk of the maintenance court as stated in the provisions of the Magistrates Court Act [*Chapter 7:10*] and rules made there under relating to the enforcement of a legal order or a civil judgment, as the case may be, shall apply, *mutatis mutandis*, to that direction or order.

(2) The clerk of the maintenance court shall take steps for the civil enforcement of the order on behalf of the favoured person as registered in terms of section *eighteen* has been made, take such steps for the civil enforcement of the direction or order as may be necessary.

23 Criminal offence for failing to comply with maintenance order

(1) Subject to subsection (1), any responsible person against who fails to make any particular payment in terms of the order shall be guilty of an offence and liable to imprisonment for a period not exceeding one year.

(2) If a person is convicted of the offence referred to in subsection (1), the court may, issue any penalty which it may deem necessary, order that all payments and those in arrears shall be made through the clerk of the appropriate maintenance court of the province or district where the convicted person resides.

(3) Subject to subsection (4), a person who has been convicted or acquitted of an offence referred to in subsection (1) and who fails—

(a) to pay within two months after such conviction or release; or

(b) if upon such conviction he was sentenced to and has undergone imprisonment, other than periodical imprisonment, If a responsible person fails to make payments within two months in terms of the order shall be liable to be prosecuted again under subsection (1) and his previous conviction or acquittal shall not be a bar to his conviction on the later charge.

(4) Proof that any failure which is the subject of a charge under his section was due to a lack of means and that such lack of means was not due to—

(a) unwillingness to work; or

(b) misconduct; or

(c) the incurring of debts or obligations which in all the circumstances of the case are unreasonable ;shall be a good defence to any such charge:

24 Criminal offences for failing to comply with direction

Any person who fails to obey with any order made against him shall be responsible of an offence and liable to a fine not exceeding level four or to imprisonment for a period not exceeding three months or to both such fine and such imprisonment.

25 Release from imprisonment on payment of arrears

(1) When a convicted person manages to make or to pay all outstanding arrears he can be able to write to the magistrate court in writing for his release and also stating that all arrears have been paid for providing all the details for made for the payment of all arrears.

(2) Upon an application being made to him in terms of subsection (1), the magistrate shall issue a copy thereof and notice of the date on which he proposes to inquire into the matter of the application to be given to the public prosecutor.

(3) On the date fixed for the resolving of the application the magistrate shall, ask for the applicant before him. After clear agreement between the applicant and the prosecute and being satisfied that;

(a) all outstanding fees of maintenance have been paid or, as the case may be, arrangements made by the magistrate are complete. All arrears being adequately paid:

(b) the applicant genuinely intends to make further payments in terms of the order requiring him to pay maintenance; and

(c) it is advised in such circumstances to do so;

may direct the release of the applicant from the imprisonment imposed upon him in respect of the offence referred to in subsection (1) and shall suspend, for a period not exceeding three years, the applicant will be advised to make all future payments in relation to the order.

(4) Any person who is upset by the refusal of a magistrate to make an order of release from imprisonment in terms of subsection (2) may appeal against such refusal to the High Court, and the Magistrates Court Act[Chapter 7:10] and the High Court Act [Chapter 7:06] and the rules apply, *mutatis mutandis* to such appeal as stated in [Subsection as amended by section 10 of Act 9 of 1997]

PART IV
GENERAL

26 Maintenance officers

The Minister may direct maintenance officers for maintenance courts—

- (a) any public officer; or
- (b) any person selected in relation to any law relating to the Public Service.

27 Appeals from decisions of maintenance courts

(1) Any person who is hurt by the decision of a maintenance court in respect of any order or conditions made in terms of this Act may appeal to the High Court.

(2) The Magistrates Court Act [*Chapter 7:10*] and the High Court Act [*Chapter 7:06*] and the rules made there under shall apply, *mutatis mutandis*, to any application made under subsection (1) as if it were an appeal against the judgment in a civil suit by a magistrate. [Subsection as amended by section 10 of Act 9 of 1997]

(3) The noting of an appeal in terms of this section shall not, anticipate the purpose of the appeal, suspend the result requested against unless the maintenance court, on application being made to it, directs is different, and for such purposes the maintenance court may give such instructions as it thinks fit, including, but without derogation from the overview of the proceedings, a direction that, pending the determination of the appeal—

- (a) the whole or any portion of the maintenance be paid to or for the benefit of the dependant concerned; or
- (b) the whole or any portion of the maintenance be paid into court; or
- (c) payment of the whole or any portion of the maintenance be suspended for such period as the court may specify.

(4) On an appeal in terms of this section, the court may, if it allows the appeal, make such order as it thinks fit relating to the repayment of any sums of money paid towards the maintenance of any person awaiting the determination of the appeal.

28 Reciprocity with other states

Where the Minister is satisfied that in any other State there is are law orders of a maintenance court under this Act and providing for their conviction against a responsible person in the jurisdiction of such other State, it shall be legal for the Minister to make regulations providing for the appreciation and enforcement in Zimbabwe of orders made in such other State under any law similar to this Act.

29 Service of process

(1) Unless provision to the contrary exists in any regulations made under section *thirty-two*, a summons, notice, subpoena or other process connected with any proceedings under this Act shall be served without fee by the police officer to whom it is directed, in the manner prescribed for the service of civil process in rules made under the Magistrates Court Act [*Chapter 7:10*].

(2) Any court order of attachment in execution of an order which has been registered in terms of section *eighteen* shall be carried out by the messenger of the court in the manner provided for in the rules relating to the court where the order is registered and the messenger's fees and charges for the execution shall be paid out of the proceeds of the sale of any property attached in execution and shall be levied in addition, and in preference, to the sum payable under the order

30 Payment of expenses of witnesses

A maintenance court may, order the payment from moneys for the purpose of the Act of Parliament allowances to any person attending any investigation held in terms of this Act in accordance with the duty prescribed.

31 Awards as to expenses

(1) In terms of this Act, a maintenance court makes an order or direction or orders any variation, extension, and rescission or discharges it. In addition of the order or direction the court can make an award to such amount as it may state any person who is in favour in respect of the reasonable expenses.

Provided that in making any such award the maintenance court shall have regard to the means of the person against whom the award is intended to be made.

(2) An award in terms of subsection (1) shall have the effect of a civil judgment of a magistrates court, and the provisions of the Magistrates Court Act [*Chapter 7:10*] and rules made there under relating to the enforcement of judgments shall apply, *mutatis mutandis*, to such award.

(3) The clerk of a maintenance court which has made an award in terms of subsection (1) shall, on behalf of the person in whose favour the award was made, take all such steps for the civil enforcement of the award as maybe necessary.

32 Regulations

(1) The Minister may by law impose all matters which by this Act are necessary or permitted to give effect to this Act.

(2) In the exercise of the powers conferred upon him by subsection (1) the Minister may provide for any of the following—

(a) the form of any procedure, certificate or register issued or kept in terms of this Act;

(b) the procedure to be followed in maintenance courts;

(c) the records to be kept by the maintenance courts;

(d) rules for the evaluation by the court of amounts of money to be paid towards the maintenance of a person.