

**THE CLAIMS FOR MAINTENANCE (RECOVERY
ABROAD) ORDINANCE, 1959**

ORDINANCE NO. L OF 1959

[10th September, 1959]

**An Ordinance to give effect to the United Nations
Convention on the Recovery Abroad of Claims for
Maintenance.***

WHEREAS the United Nations Conference on Maintenance Obligations held at New York from the 29th May, 1956, to the 20th June, 1956, adopted the Convention on the Recovery Abroad of Maintenance;

AND WHEREAS Article 13 of the said Convention provides that the Convention may be acceded to at any time on behalf of any Member of the United Nations;

AND WHEREAS Bangladesh, being a Member of the United Nations, has, in pursuance of the aforesaid Article, acceded to the Convention on the fourteenth day of July, 1959;

AND WHEREAS it is expedient to give effect to the Convention;

NOW, THEREFORE, in pursuance of the Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the President is pleased to make and promulgate the following Ordinance:-

Short title and
commencement

1. (1) This Ordinance may be called the Claims for Maintenance (Recovery Abroad) Ordinance, 1959.

(2) It shall come into force at once.

* Throughout this Ordinance, the words "Bangladesh" and "Government" were substituted for the words "Pakistan" and "Central Government" respectively by section 3 and the Second Schedule of the Bangladesh Laws (Revision and Declaration) Act, 1973 (Act No. VIII of 1973).

2. In this Ordinance, unless there is anything repugnant in the subject or context,-

Definitions

- (a) "Article" means an article of the Convention;
- (b) "Contracting Party" means Bangladesh, and any other state whose instrument of ratification or accession is deposited under Article 13 and which is notified by the Government in the *official Gazette* to be a Contracting Party;
- (c) "Convention" means the United Nations Convention on the Recovery Abroad of Maintenance; and
- (d) "Transmitting Agency" and "Receiving Agency" for a Contracting Party shall mean respectively the judicial or administrative authority and the public or private body designated under Article 2 to be the Transmitting Agency or the Receiving Agency, as the case may be, and notified as such by the Government in the *official Gazette*.

3. The Government shall, from time to time, publish in the *official Gazette* any information received by it from the Secretary-General of the United Nations in pursuance of Article 19.

Publication of information

4. (1) Notwithstanding anything to the contrary contained in any other law, the provisions of the Convention set out in the Schedule shall have the force of law in Bangladesh.

The Convention to have the force of law in Bangladesh

(2) The Government may amend the Schedule in conformity with such amendments as may, from time to time, be made in the Convention.

5. The Government may make rules for carrying out the purposes of this Ordinance.

Power to make rules

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