



# Maintenance and Affiliation Orders Act (Northern Ireland) 1966

## 1966 CHAPTER 35

### PART II

#### REGISTRATION, ENFORCEMENT AND VARIATION OF CERTAIN MAINTENANCE ORDERS

#### 14 Cancellation of registration.

- (1) If a person entitled to receive payments under a registered order desires the registration to be cancelled, he may give notice under this section.
- (2) Where the original court varies or discharges an order registered in a court of summary jurisdiction, the original court may, if it thinks fit, give notice under this section.
- (3) Where a court of summary jurisdiction discharges an order registered in the High Court and it appears to the court of summary jurisdiction, whether by reason of the remission of arrears by that court or otherwise, that no arrears under the order remain to be recovered, the court of summary jurisdiction shall give notice under this section.
- (4) Notice under this section shall be given to the court of registration; and where such notice is given—
  - (a) no proceedings for the enforcement of the registered order shall be begun before the cancellation of the registration and no writ, warrant or other process for the enforcement thereof shall be issued in consequence of any such proceedings begun before the giving of the notice;
  - (b) where the order is registered in a court of summary jurisdiction, any warrant of commitment issued for the enforcement of the order shall cease to have effect when the person in possession of the warrant is informed of the giving of the notice, unless the defendant has then already been detained in pursuance of the warrant; and
  - (c) the court of registration shall cancel the registration on being satisfied in the prescribed manner—

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**Changes to legislation:** *Maintenance and Affiliation Orders Act (Northern Ireland) 1966, Section 14 is up to date with all changes known to be in force on or before 30 April 2019. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (i) that no process for the enforcement of the registered order issued before the giving of the notice remains in force; and
- (ii) in the case of an order registered in a court of summary jurisdiction, that no proceedings for the variation of the order are pending in a court of summary jurisdiction.

[<sup>F1</sup>(5) On the cancellation of the registration of an order made by the High Court or a county court—

- (a) any order which requires payments under the order in question to be made (otherwise than to the collecting officer) by any method of payment falling within Article 85(7) of the Magistrates' Courts (Northern Ireland) Order 1981 or Article 96A(5) of the Judgments Enforcement (Northern Ireland) Order 1981 (standing order, etc.) shall continue to have effect; and
- (b) any order made under section 11(5B)(b) or by virtue of the powers conferred by section 12(2) or section 13(2A) or (5A) and which requires payments under the order in question to be made to the collecting officer (whether or not by any method of payment falling within Article 85(7) of the Magistrates' Courts (Northern Ireland) Order 1981) shall cease to have effect;

but, in a case falling within paragraph (b) of this subsection, until the defendant receives the prescribed notice of the cancellation he shall be deemed to comply with the order made by the High Court or, as the case may be, the county court if he makes payment in accordance with any such order as is referred to in that paragraph which was in force immediately before the cancellation and of which he has notice.

(6) On the cancellation of the registration of an order made by a court of summary jurisdiction—

- (a) any order which requires payments under the order made by a court of summary jurisdiction to be made by any method of payment falling within Article 85(7) of the Magistrates' Courts (Northern Ireland) Order 1981 or Article 96A(5) of the Judgments Enforcement (Northern Ireland) Order 1981 (standing order, etc.) shall continue to have effect; and
- (b) in any other case, payments shall become payable to the clerk of the original court;

but, in a case falling within paragraph (b) of this subsection, until the defendant receives the prescribed notice of the cancellation he shall be deemed to comply with the order of the court of summary jurisdiction if he makes payments in accordance with any order which was in force immediately before the cancellation and of which he has notice.]

**Annotations:**

**F1** [1993 NI 6](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied (with modifications) by [S.I. 2018/1125 reg. 8](#)