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STATUTORY INSTRUMENTS

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**1980 No. 563**

**Domestic Proceedings (Northern Ireland) Order 1980**

Provisions relating to jurisdiction, procedure and enforcement

**Enforcement etc. of orders for payment of money**

**36.**—(1) Without prejudice to<sup>F1</sup> Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981] (power of a court of summary jurisdiction to direct periodical payments to be made through the collecting officer) a court of summary jurisdiction making an order under this Order for the making of a periodical payment by one person to another may direct that it shall be made to some third party on that other person's behalf instead of directly to that other person; and, for the purposes of any order made under this Order,<sup>F2</sup> the said Article 85 shall have effect as if, in paragraph (8)] for the words<sup>F2</sup> “the person who applied for the order”] there were substituted the words “ the person to whom the payments under the order fall to be made ”.

*Para. (2) rep. by 1981 NI 6*

(3) [<sup>F2</sup>Subject to Article 85(14) of the Order of 1981,] any person for the time being under an obligation to make payments in pursuance of any order for the payment of money made under this Order shall give notice of any change of address to such person, if any, as may be specified in the order; and any person who without reasonable excuse fails to give such a notice shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £50.

(4) A person shall not be entitled to enforce through the High Court the payment of any arrears due under an order made by virtue of this Order without the leave of the High Court if those arrears became due more than 12 months before proceedings to enforce the payment of them are begun.

(5) The High Court on hearing an application for the grant of leave under paragraph (4) may refuse leave, or may grant leave subject to such restrictions and conditions (including conditions as to the allowing of time for payment or the making of payment by instalments) as the High Court thinks proper, or may remit the payment of such arrears or any part thereof.

(6) An application for the grant of leave under paragraph (4) shall be made in such manner as may be prescribed by rules of court.

**F1** 1981 NI 26

**F2** 1993 NI 6

**Changes to legislation:**

There are currently no known outstanding effects for the Domestic Proceedings (Northern Ireland) Order 1980, Section 36.