

SCHEDULE 4

Regulation 7

CONSEQUENTIAL AMENDMENTS

Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c.35)

1. In the Maintenance and Affiliation Orders Act (Northern Ireland) 1966, in section 10(5)—
 - (a) after “settlement” insert “, arrangement”;
 - (b) for “in Northern Ireland under” substitute
“in Northern Ireland under—
 - (a)”;
 - (c) for “1972 or” substitute
“1972,
 - (b)”;
 - (d) for “1982 or” substitute
“1982,
 - (c)”;
 - (e) for “commercial matters shall” substitute
“commercial matters, or
 - (d) the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007,
shall”.

Magistrates’ Courts (Northern Ireland) Order 1981 (NI 26)

- 2.—(1) The Magistrates’ Courts (Northern Ireland) Order 1981 is amended as follows.
- (2) In Article 86 (revocation, variation, etc., of orders for periodical payment) in paragraph (1A), after sub-paragraph (b), insert—
 - “(c) the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007;
 - (d) Part 1 of the Civil Jurisdiction and Judgments Act 1982.”.
- (3) In Article 87 (remission of arrears and manner in which arrears to be paid)—
 - (a) in paragraph (1A), after sub-paragraph (b) insert—
 - “(c) the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007;
 - (d) Part 1 of the Civil Jurisdiction and Judgments Act 1982.”.
 - (b) in paragraph (7), in the definition of “non-Northern Ireland maintenance order”—
 - (i) the “or” at the end of sub-paragraph (a)(iv) is repealed;
 - (ii) at the end of sub-paragraph (a)(v) insert or
 - “(vi) under the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007;”.

Status: This is the original version (as it was originally made).

(4) In Article 88 (nature of domestic proceedings) at the end of sub-paragraph (a), insert “or under the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007”.

(5) In Article 98 (enforcement of orders for periodical payment of money) —

(a) in paragraph (1A)—

(i) for “by virtue of Council” substitute

“by virtue of

(a) Council”;

(ii) for “Regulations 2011.” Substitute

“Regulations 2011;

(b) the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007;
or

(c) Part 1 of the Civil Jurisdiction and Judgments Act 1982.”;

(b) in paragraph (11)(b)—

(i) for “Northern Ireland under” substitute

“Northern Ireland under

(i)”;

(ii) for “Act 1972 or” substitute

“Act 1972,

(ii)”;

(iii) for “Act 1982 or” substitute

“Act 1982,

(iii)”;

(iv) at the end insert

“or

(iv) the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007;”;

(c) in paragraph (13)—

(i) the “and” at the end of sub-paragraph (a) is repealed;

(ii) after sub-paragraph (b) insert—

“(c) the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007; and

(d) Part 1 of the Civil Jurisdiction and Judgments Act 1982.”.

Social Security Administration (Northern Ireland) Act 1992 (c.8)

3. In section 103 of the Social Security Administration (Northern Ireland) Act 1992 (reduction of expenditure on income support: certain maintenance orders to be enforceable by the Department), in subsection (4)—

(a) the “and” at the end of paragraph (aa) is repealed;

(b) after paragraph (aa) insert—

“(ab) to apply for recognition and enforcement of the maintenance order under the Convention on the International Recovery of Child Support and other forms of Family Maintenance done at The Hague on 23rd November 2007, to the extent permitted by Article 36 of that Convention; and”.