

SCHEDULE 7

CONSEQUENTIAL AMENDMENTS

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

17.—(1) The Maintenance and Affiliation Orders Act (Northern Ireland) 1966 is amended as follows.

(2) Section 10 (orders to which this Part applies) is amended as follows.

(3) In subsection (5) ^{M1}, after “an order” insert “, decision, settlement or instrument”.

(4) After subsection (5), insert—

“(6) For the purposes of this section—

- (a) a maintenance decision which is enforceable by a court of summary jurisdiction by virtue of Section 1 of Chapter IV of the Maintenance Regulation and the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 is to be deemed to be a maintenance order made by that court;
- (b) a maintenance decision which is registered by a court of summary jurisdiction under the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 is to be deemed to be a maintenance order made by that court;
- (c) an authentic instrument or court settlement which is enforceable by a court of summary jurisdiction by virtue of Article 48 of the Maintenance Regulation (application of provisions relating to maintenance decisions to authentic instruments and court settlements) and the Civil Jurisdiction and Judgments (Maintenance) Regulations 2011 is to be deemed to be a maintenance order made by that court.

(7) In subsection (6) —

“the Maintenance Regulation” means Council Regulation (EC) No 4/2009 including as applied in relation to Denmark by virtue of the Agreement made on 19th October 2005 between the European Community and the Kingdom of Denmark;

“authentic instrument” and “court settlement” have the meanings given by Article 2 of the Maintenance Regulation;

“maintenance decision” means a decision within the meaning of the Maintenance Regulation.”.

(5) In section 13A ^{M2} (variation etc, of orders registered in the High Court), in sub-paragraph (1), after “section 10(5)” insert “ or section 10(6) ”.

Marginal Citations

M1 Section 10(5) was inserted by section 22(1) of and paragraph 5 of the Schedule to the [Maintenance Orders \(Reciprocal Enforcement\) Act 1972 \(c.18\)](#).

M2 Section 13A was inserted by Article 11 of and paragraph 2 of Schedule 1 to [S.I.1993/1576 \(N.I.6\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Civil Jurisdiction and Judgments (Maintenance) Regulations 2011, Paragraph 17.