Maintenance and Affiliation Orders Act (Northern Ireland) 1966

1966 CHAPTER 35

PART II

REGISTRATION, ENFORCEMENT AND VARIATION OF CERTAIN MAINTENANCE ORDERS

9 Application of this Part.

[[F1]Without prejudice to section 36 of the Civil Jurisdiction and Judgments Act 1982,**]** The provisions of this Part shall have effect for the purpose of enabling maintenance orders to which this Part applies to be registered—

(a) in the case of an order made by the High Court**[**[F2] or a county court**]**, in a court of summary jurisdiction; and

(b) in the case of an order made by a court of summary jurisdiction, in the High Court;

and, subject to those provisions, while so registered—

(i) to be enforced in like manner as an order made by the court of registration; and

(ii) in the case of an order registered in a court of summary jurisdiction, to be varied by a court of summary jurisdiction.

F1 1982 c. 27
F2 1989 NI 4

10 Orders to which this Part applies.

(1) This Part applies to maintenance orders made by the High Court**[**[F3], a county court**]**, or a court of summary jurisdiction, other than orders registered under Part II of the Maintenance Orders Act 1950 .

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[[F4](1A) This Part, except sections 11, 11A and 14(2) and (3), also applies in accordance with section 36 of the Civil Jurisdiction and Judgments Act 1982**[**[F5] or Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters**]** to maintenance orders made by a court in England and Wales or Scotland and registered in Northern Ireland under Part II of the Maintenance Order Act 1950.**]**

(2) . . .[F6] in this Part "maintenance order" means [[F7] an order made outside the United Kingdom and registered in a court of summary jurisdiction in Northern Ireland under Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 **[**[F4] or Part I of the Civil Jurisdiction and Judgments Act 1982**]** or] an order for . . .[F8], maintenance or other payments made under any of the following enactments:—

(a) sections 17(2), 19(2) to (7), 20(2), 22 or 28(1) of the Matrimonial Causes Act (Northern Ireland) 1939 ;

(b) section 4(1) of the Law Reform (Miscellaneous Provisions) Act (Northern Ireland) 1951 ;

[F9](bb) Article 24, 25(1)(*a*) or (*d*), (2) or (4) or 29(5) or (6)(*a*) or (*d*) of the Matrimonial Causes (Northern Ireland) Order 1978 ;]

[F10](c) the Domestic Proceedings (Northern Ireland) Order 1980 ;]

(d) section 1[F11] of the Act of 1924, section 12 of the Welfare Services Act (Northern Ireland) 1949 [F11] . . .[F12]**[**[F13] Article 26 of the Social Security (Northern Ireland) Order 1986**]** [[F14] or section 159 of the Children and Young Persons Act (Northern Ireland) 1968 ;]

(e) section 11 of the Welfare Services Act (Northern Ireland) 1949[F15] . . .[F12]**[**[F16] section 101 of the Social Security Administration (Northern Ireland) Act 1992**]** [[F14] or section 156 or 157 of the Children and Young Persons Act (Northern Ireland) 1968;]

[F17](f) section 27 of the Judicature (Northern Ireland) Act 1978 ;]

[[F3](g) Article 21(a) of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989;**]**

[[F18](h) Article 41 of, or Schedule 1 to, the Children (Northern Ireland) Order 1995;**]**

[[F19](i) paragraph 2(1)(a) or (d), 33, 34(3) or 36(1)(a) or (d) of Schedule 15, Schedule 16, or paragraph 9 of Schedule 17 so far as that paragraph applies Part 1 of Schedule 15, to the Civil Partnership Act 2004;**]**

and includes any such order which has been discharged if any arrears are recoverable thereunder.

(3) Subject to subsection (4) for the purposes of this Part an order for the payment by the defendant of any costs incurred in proceedings relating to a maintenance order, being an order for the payment of costs made while the maintenance order is not registered, shall be deemed to form part of that maintenance order.

(4) For the purposes of the enforcement under section 12 of an order registered under this Part such costs as are referred to in subsection (3) shall not be deemed to be a periodical payment of money.

[F7](5) For the purposes of this Part an order made outside the United Kingdom and registered in a court of summary jurisdiction in Northern Ireland under Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972**[**[F4] or Part I of the Civil Jurisdiction and Judgments Act 1982**][**[F5] or Council Regulation (EC) No. 44/2001 of 22nd December 2000 on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters**]** shall be deemed to be a maintenance order made by that court.]

F3 1989 NI 4
F4 1982 c. 27
F5 SI 2001/3929
F6 1980 NI 5
F7 1972 c.18
F8 1978 NI 15
F9 1978 NI 15
F10 1980 NI 5
F11 1972 NI 14
F12 1968 c.34 (NI)
F13 1986 NI 18
F14 1968 c.34 (NI)
F15 1972 NI 14
F16 1992 c. 9
F17 1978 c.23
F18 1995 NI 2
F19 2004 c.33

11 Registration of orders.

(1) A person entitled to receive payments under an order made by the High Court**[**[F20] or a county court**]** may apply for the registration of the order to the original court, and the court may, if it thinks fit, grant the application.

(2) Where an application for the registration of such an order is granted—

(a) no proceedings shall be begun, and no writ, warrant or other process shall be issued, for the enforcement of the order before the registration of the order or the expiration of the prescribed period from the grant of the application, whichever first occurs; and

(b) the original court shall, on being satisfied within the period aforesaid by the person who made the application that no such proceedings or process begun or issued before the grant of the application remain pending or in force, cause a certified copy of the order to be sent to the clerk of petty sessions acting for the petty sessions district in which the defendant appears to be;

but if at the expiration of the period aforesaid the original court has not been so satisfied, the grant of the application shall become void.

(3) A person entitled to receive payments under an order made by a court of summary jurisdiction, who considers that the order could be more effectively enforced if it were registered, may apply for the registration of the order to the original court, and that court**[**[F21] may if it thinks fit, grant the application**]**.

[[F21](3A) Without prejudice to subsection (3), where an order made by a court of summary jurisdiction provides both for the payment of a lump sum and for the making of periodical payments, a person entitled to recieve a lump sum under the order who considers that, so far as it relates to that sum the order could be more effectively enforced if it were registered may apply to the original court for the registration of the order so far as it so relates, and the court may, if it thinks fit, grant the application.

(3B) Where an application under subsection (3A) is granted in the case of an order made by a court of summary jurisdiction, the provisions of this Part shall have effect in relation

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to that order as if so far as it relates to the payment of a lump sum it were a separate order.**]**

(4) Where an application for the registration of an order made by a court of summary jurisdiction is granted—

(a) no proceedings for the enforcement of the order shall be begun before the registration takes place and no warrant or other process for the enforcement thereof shall be issued in consequence of any such proceedings begun before the grant of the application;

(b) 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 grant of the application, unless the defendant has then already been detained in pursuance of the warrant; and

(c) the original court shall, on being satisfied in the prescribed manner that no process for the enforcement of the order issued before the grant of the application remains in force, cause a certified copy of the order to be sent to the prescribed officer of the High Court.

(5) The officer or clerk of a court who receives a certified copy of an order sent to him under this section shall cause the order to be registered in that court.

[[F22](5A) Where an order made by a court of summary jurisdiction is registered under this Part in the High Court, then—

(a) if payments under the order of the court of summary jurisdiction are required 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 (standing order, etc.), any order requiring payment by that method shall continue to have effect after registration;

(b) any order by virtue of which sums payable under the order of the court of summary jurisdiction are required to be paid to the collecting officer (whether or not by any method of payment falling within Article 85(7) of that Order) on behalf of the person entitled thereto shall cease to have effect.

(5B) Where an order made by the High Court or a county court is registered under this Part in a court of summary jurisdiction, then—

(a) if a means of payment order (within the meaning of Article 96A(7) of the Judgments Enforcement (Northern Ireland) Order 1981) has effect in relation to the order in question, it shall continue to have effect after registration; and

(b) in any other case, the court of summary jurisdiction shall order that all payments to be made under the order in question (including any arrears accrued before registration) shall be made to the collecting officer.

(5C) Any such order as to payment—

(a) as is referred to in subsection (5A)(a) may be revoked, suspended, revived or varied by an exercise of the powers conferred by section 13A; and

(b) as is referred to in subsection (5B)(a) or (b) may be varied or revoked by an exercise of the powers conferred by section 12(2) or section 13(2A) or (5A).

(5D) Where by virtue of the provisions of this section or any order under subsection (5B)(b) payments under an order cease to be or become payable to the collecting officer, the person liable to make the payments shall, until he is given the prescribed notice to that effect, be deemed to comply with the order if he makes payments in accordance

with the order and any order under subsection (5B)(b) of which he has received such notice.**]**

(6) In this section "certified copy" in relation to an order of a court means a copy certified by the proper officer of the court to be a true copy of the order or of the official record thereof.

F20 1989 NI 4
F21 1982 c. 27
F22 1993 NI 6

[[F23]11A Interest on sums recoverable under certain orders registered in the High Court.

(1) Where, in connection with an application under section 11(3) for the registration of an order made by a court of summary jurisdiction, the applicant shows in accordance with rules of court—

(a) that the order, though deemed for the purposes of this Part to have been made by a court of summary jurisdiction in Northern Ireland, was in fact made in a country or territory outside the United Kingdom; and

(b) that, as regards any sum for whose payment the order provides, interest on that sum at a particular rate is, by the law of that country or territory, recoverable under the order from a particular date or time,

then, if the original court grants the application and causes a certified copy of the order to be sent to the prescribed officer of the High Court under section 11(4)(c) it shall also cause to be sent to him a certificate in the prescribed form showing, as regards that sum, the rate of interest so recoverable and the date or time from which it is so recoverable.

(2) The officer of a court who receives a certificate sent to him under subsection (1) shall cause the certificate to be registered in that court together with the order to which it relates.

(3) Where an order is registered together with a certificate under this section, then, subject to any provision made under subsection (4), sums payable under the order shall carry interest at the rate specified in the certificate from the date or time so specified.

(4) Provision may be made by rules of court as to the manner in which and the periods by reference to which any interest payable by virtue of subsection (3) is to be calculated and paid, including provision for such interest to cease to accrue as from a prescribed date.

(5) Except as provided by this section sums payable under registered orders shall not carry interest.**]**

F23 1982 c. 27

12 Enforcement of registered orders.

(1) Subject to the provisions of**[**[F24] section 11A and**]** this section [[F25] and without prejudice to Article 36(4) of the Domestic Proceedings (Northern Ireland) Order 1980], a registered order shall be enforceable in all respects as if it had been made bvy the court

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of registration and as if that court had had jurisdiction to make it; and proceedings for or with respect to the enforcement of a registered order may be taken accordingly.

(2) Subject to subsection (3), an order registered in a court of summary jurisdiction shall be enforceable under**[**[F26] Article 98 of the Magistrates' Courts (Northern Ireland) Order 1981**][**[F27] as if for paragraphs (8B) to (8D) there were substituted—

"(8B) Upon the appearance of a person or proof of service of the summons on him as mentioned in paragraph (4) for the enforcement of an order to which this Article applies, the court or resident magistrate may vary the order by exercising one of the powers under sub-paragraphs (a) to (d) of Article 85(3).

(8C) In deciding which of the powers under sub-paragraphs (a) to (d) of Article 85(3) is to be exercised, the court or, as the case may be, a resident magistrate shall have regard to any representations made by the debtor and the creditor (within the meaning of Article 85).

(8D) Paragraph (5) of Article 85 shall apply for the purposes of paragraph (8C) as it applies for the purposes of that Article"**]**
[F26]

. . . and the provisions of**[**[F26] that Order**]** with respect to the accrual of arrears and the remission of sums due shall apply accordingly.

(3) Where an order remains or becomes registered after the discharge of the order, no proceedings shall be taken by virtue of that registration except in respect of arrears which were due under the order at the time of the discharge and have not been remitted.

[[F28](3A) Any person under an obligation to make payments under an order registered in a court of summary jurisdiction shall give notice of any change of address to the clerk of the court; and any person who without reasonable excuse fails to give such a notice shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.**]**

(4) Except as provided by this section, no proceedings shall be taken for or with respect to the enforcement of a registered order.

F24 1982 c. 27
F25 1980 NI 5
F26 1981 NI 26
F27 1993 NI 6
F28 1989 NI 4

13 Variation of orders registered in courts of summary jurisdiction.

(1) The provisions of this section shall have effect with respect to the variation of orders registered in courts of summary jurisdiction, and references in this section to registered orders shall be construed accordingly.

(2) Subject to the following provisions of this section—

(a) the court of registration may exercise the same jurisdiction to vary any rate of payments specified by a registered order (other than jurisdiction in a case where a party to the order is not present in Northern Ireland when the application for variation is made) as is exercisable, apart from this subsection, by the original court; and

(b) a rate of payments specified by a registered order shall not be varied except by the court of registration or any other court of summary jurisdiction to which the jurisdiction conferred by the foregoing paragraph is extended by rules of court.

[[F29](2A) The power of a court of summary jurisdiction to vary a registered order under subsection (2) shall include power, if the court is satisfied that payment has not been made in accordance with the order, to vary the order by exercising one of its powers under sub-paragraphs (a) to (d) of Article 85(3) of the Magistrates' Courts (Northern Ireland) Order 1981.

(2B) Paragraph (5) of Article 85 of that Order shall apply for the purposes of subsection (2A) as it applies for the purposes of that Article.

(2C) In deciding which of the powers under sub-paragraphs (a) to (d) of Article 85(3) of that Order it is to exercise, the court shall have regard to any representations made by the debtor and the creditor (within the meaning of Article 85 of that Order).**]**

[F30](3) An application made under subsection (2) for the variation of a maintenance order shall be made by complaint.

(4) A rate of payments specified by a registered order shall not be varied by virtue of subsection (2) so as to exceed . . .

[F31](a) the rate of payments specified by the order as made or last varied by the original court; . . .

[F31]Para.(b) rep. by 1970 c.16 (NI)

(5) If it appears to the court to which an application is made by virtue of subsection (2) for the variation of a rate of payments specified by a registered order that, by reason of the limitations imposed on the court's jurisdiction by subsection (4) or for any other reason, it is appropriate to remit the application to the original court, the first-mentioned court shall so remit the application, and the original court shall thereupon deal with the application as if the order were not registered.

[[F29](5A) Subject to the following provisions of this section, paragraphs (4) to (11) of Article 86 of the Magistrates' Courts (Northern Ireland) Order 1981 (power of clerk and court to vary maintenance orders) shall apply in relation to a registered order as they apply in relation to a maintenance order made by a court of summary jurisdiction (disregarding Article 25(2) of the Domestic Proceedings (Northern Ireland) Order 1980**[**[F32] or paragraph 42 of Schedule 16 to the Civil Partnership Act 2004**]**) but—

(a) as if in paragraph (8) after the words "the court which may" there were inserted " subject to paragraph (10) "; and

(b) as if for paragraphs (9) and (10) there were substituted the following paragraphs—

"(9) Paragraph (5) of Article 85 shall apply for the purposes of paragraph (8) as it applies for the purposes of that Article.

(10) In deciding which of the powers under sub-paragraphs (a) to (d) of Article 85(3) it is to exercise, the court shall have regard to any representations made by the debtor and the creditor" .**]**

(6) Nothing in subsection (2) shall affect the jurisdiction of the original court to vary a rate of payments specified by a registered order if an application for the variation of that rate is made to that court—

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(a) in proceedings for a variation of provisions of the order which do not specify a rate of payments; or

(b) at a time when a party to the order is not present in Northern Ireland.

(7) No application for any variation of a registered order shall be made to any court while proceedings for any variation of the order are pending in any other court.

[[F33](7A) No application for any variation in respect of a registered order shall be made to any court in respect of an order made by the High Court of Justice in England or the Court of Session and registered in that court under section 36 of the Civil Jurisdiction and Judgments Act 1982.]

[[F34](7B) No application for any variation of a registered order shall be made to any court in respect of an order made under Article 21(a) of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989[[F32] or paragraph 9 of Schedule 17 so far as that paragraph applies Part 1 of Schedule 15].]

(8) Where a court of summary jurisdiction, in exercise of the jurisdiction conferred by subsection (2), varies or refuses to vary a registered order, an appeal from the variation or refusal shall, notwithstanding anything in any other enactment, lie to a judge of the High Court.

F29 1993 NI 6
F30 Subst. prosp. by 1995 NI 2
F31 1970 c.16 (NI)
F32 2004 c.33
F33 1982 c. 27
F34 1989 NI 4

[[F35]13A Variation etc., of orders registered in the High Court.

(1) The provisions of this section shall have effect with respect to orders registered in the High Court other than maintenance orders deemed to be made by a court of summary jurisdiction by virtue of section 10(5), and the reference in subsection (2) to a registered order shall be construed accordingly.

(2) The High Court may exercise the same powers in relation to a registered order as are exercisable by the High Court under Article 96A of the Judgments Enforcement (Northern Ireland) Order 1981 in relation to a qualifying periodical maintenance order (within the meaning of that Article) which has been made by the High Court, including the power under paragraph (7) of that Article to revoke, suspend, revive or vary—

(a) any such order as is referred to in paragraph (a) of section 11(5A) which continues to have effect by virtue of that paragraph; and

(b) any means of payment order (within the meaning of Article 96A(7) of the Order of 1981) made by virtue of the provisions of this section.]

F35 1993 NI 6

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—

(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.

[[F36](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

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(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.**]**

F36 1993 NI 6

15 Functions of collecting officer, etc.

(1) Where a maintenance order to which this Part applies is registered under this Part in the High Court, any provision of the order by virtue of which sums payable thereunder are required to be paid through or to any officer or person on behalf of the person entitled thereto shall be of no effect so long as the order is so registered.

(2) Where a maintenance order is registered under this Part in a court of summary jurisdiction, the court shall, unless it is satisfied that it is undesirable to do so, order that all payments to be made under the maintenance order (including any arrears accrued before the date of the registration) shall be made through the collecting officer of the court or the collecting officer of some other court of summary jurisdiction.

(3) An order made by a court of summary jurisdiction under subsection (2) may be varied or revoked by a subsequent order.

(4) Where by virtue of the provisions of this section or any order made thereunder payments under a maintenance order cease to be or become payable through or to any officer or person, the person liable to make the payments shall, until he is given the prescribed notice to that effect, be deemed to comply with the maintenance order if he makes payments in accordance with the maintenance order and any order under this section of which he has received such notice.

(5) In any case where, by virtue of an order made under this section, payments under a maintenance order are required to be made through the collecting officer of any court**[**[F37] paragraphs (4) to (8) of Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981**]** (which regulate the functions and remuneration of collecting officers where, by virtue of**[**[F37] the said Article 85**]**, a court of summary jurisdiction has ordered the periodical payment of money to be paid through such officers, and which impose a duty on the person against whom such an order is made to notify the collecting officer of any change of address) shall apply as if—

(a) the maintenance order were an order for the periodical payment of money within the meaning of subsection (1) of**[**[F37] the said Article 85**]** and the order under this section were made under the said subsection (1); and

(b) money paid in accordance with the order under this section were paid in pursuance of an order made under**[**[F37] the said Article 85**]**.

(6) On the cancellation under section 14 of the registration of a High Court**[**[F38] or county court**]** order any order made in relation thereto under subsections (1) to (5) of this section shall cease to have effect, but until the defendant receives the prescribed notice of the cancellation he shall be deemed to comply with the High Court**[**[F38] or county court**]** order if he makes payments in accordance with any order under those

subsections which was in force immediately before the cancellation and of which he has notice.

(7) Notwithstanding anything in this Part—

(a) a collecting officer or other person who is entitled to receive payments under a maintenance order made by a court of summary jurisdiction for transmission to another person shall not apply for the registration of the order under this Part; and

(b) a collecting officer shall not give notice in relation to the order in pursuance of section 14(1);

unless he is requested to do so by a person entitled to receive the payments through him; and where he is so requested—

(i) he shall comply with the request unless it appears to him unreasonable in the circumstances to do so; and

(ii) the person by whom the request was made shall have the same liabilities for all the costs properly incurred in or about any proceedings taken in pursuance of the request as if the proceedings had been taken by that person.

F37 1981 NI 26
F38 1989 NI 4

16 Interpretation of this Part.

(1) In this Part—

"collecting officer" has the same meaning as in**[**[F39]**[**[F40] Article 85(4)**]** of the Magistrates' Courts (Northern Ireland) Order 1981**]**;

"court of registration", in relation to an order, means the court in which the order is registered;

"defendant", in relation to a maintenance order, means the person liable to make payments under the maintenance order;

"maintenance order" has the meaning assigned to it by section 10(2);

"order" means a maintenance order to which this Part applies;

"original court", in relation to an order, means the court first having jurisdiction to make the order, whether or not the order was made on appeal from that court;

"prescribed" means prescribed by rules of court;

"proper officer", in relation to a court of summary jurisdiction, means the clerk of petty sessions;

"registered" means registered in accordance with the provisions of this Part and "registration" shall be construed accordingly.

(2) Any reference in this Part to "rules of court" shall, in relation to a**[**[F41] county court or a court of summary jurisdiction, be construed respectively as a reference to county court rules or**]** magistrates' courts rules**[**[F42] and in section 11A(4) shall be construed as including a reference to Judgment Enforcement Rules made under Article 141 of the Judgments Enforcement (Northern Ireland) Order 1981**]**.

(3) Any reference in this Part to an order made by the High Court**[**[F41], by a county court**]** or by a court of summary jurisdiction includes an order made on appeal from those courts, as the case may be.

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(4) Any reference in this Part to a person entitled to receive payments under a maintenance order is a reference to a person entitled to receive such payments either directly or through another person or for transmission to another person.

(5) Any reference in this Part to proceedings relating to an order includes a reference to proceedings in which the order may be made.

(6) Any reference in this Part to costs incurred in proceedings relating to a maintenance order shall be construed, in the case of a maintenance order made by the High Court**[**[F41] or by a county court**]**, as a reference to such costs as are included in an order for costs relating solely to that maintenance order.

F39 1981 NI 26
F40 1993 NI 6
F41 1989 NI 4
F42 1982 c. 27

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