



Maintenance and Affiliation Orders Act (Northern Ireland) 1966

1966 CHAPTER 35

PART II

REGISTRATION, ENFORCEMENT AND VARIATION OF CERTAIN MAINTENANCE ORDERS

12 Enforcement of registered orders.

(1) Subject to the provisions of^[F1] section 11A and] this section [^{F2} 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 by the court 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^[F3] Article 98 of the Magistrates' Courts (Northern Ireland) Order 1981]^[F4] 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”]^{F3}

. . . and the provisions of^[F3] that Order] with respect to the accrual of arrears and the remission of sums due shall apply accordingly.

Changes to legislation: There are currently no known outstanding effects for the Maintenance and Affiliation Orders Act (Northern Ireland) 1966, Section 12. (See end of Document for details)

- (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.
- [^{F5}(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.

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| F1 | 1982 c. 27 |
| F2 | 1980 NI 5 |
| F3 | 1981 NI 26 |
| F4 | 1993 NI 6 |
| F5 | 1989 NI 4 |

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There are currently no known outstanding effects for the Maintenance and Affiliation Orders Act (Northern Ireland) 1966, Section 12.