



# Maintenance and Affiliation Orders Act (Northern Ireland) 1966

## 1966 CHAPTER 35

### PART II

#### REGISTRATION, ENFORCEMENT AND VARIATION OF CERTAIN MAINTENANCE ORDERS

#### 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<sup>F1</sup> paragraphs (4) to (8) of Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981] (which regulate the functions and remuneration of collecting

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**Changes to legislation:** There are currently no known outstanding effects for the Maintenance and Affiliation Orders Act (Northern Ireland) 1966, Section 15. (See end of Document for details)

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officers where, by virtue of<sup>F1</sup> 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<sup>F1</sup> 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<sup>F1</sup> the said Article 85].
- (6) On the cancellation under section 14 of the registration of a High Court<sup>F2</sup> 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<sup>F2</sup> 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.

**F1** 1981 NI 26

**F2** 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 15.