



Maintenance and Affiliation Orders Act (Northern Ireland) 1970

1970 CHAPTER 16

3 Return of certain moneys received by collecting officers under orders for periodical payment.

- (1) On the hearing of a complaint for the revocation, suspension, variation or discharge of an order for the periodical payment of money, a court of summary jurisdiction may order the return to the person against whom the order was made of the whole or any part of such part of the sum received under the order by the collecting officer under^{F1} Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981^{F1}, as can not, at the time of the hearing, be paid to the person named in the order.
- (2) Where a collecting officer makes an application in that behalf, a court of summary jurisdiction—
 - (a) may order the return to the person against whom an order for the periodical payment of money has been made of the whole or any part of such part of the sum received under the order by the collecting officer under^{F1} Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981^{F1}, as can not, at the time of the hearing of the application, be paid to the person named in the order; and
 - (b) may suspend any such order.
- (3) An application under subsection (2) shall be made in accordance with magistrates' courts rules and^{F1} Articles 77(2) and 81(2) of the Magistrates' Courts (Northern Ireland) Order 1981^{F1} shall not apply in relation to the proceedings on any such application.
- (4) Subsections (1) and (2) apply to orders for the periodical payment of money made before or after the commencement of this Act.

Changes to legislation:

There are currently no known outstanding effects for the Maintenance and Affiliation Orders Act (Northern Ireland) 1970, Section 3.