
STATUTORY INSTRUMENTS

2018 No. 1125

The International Recovery of Maintenance (Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance 2007) (EU Exit) Regulations 2018

PART 3

Modification and amendment of primary and secondary legislation

Primary and subordinate legislation giving effect to the 2007 Hague Convention

8.—(1) Provision made by the legislation mentioned in paragraph (3) in relation to the 2007 Hague Convention also applies in a case where regulation 4, 5 or 6 applies.

(2) Where the provision so applies in a particular case, it has effect as if the provision were made in relation to the section 4 rights, as the section 4 rights have effect in that case (see regulation 3(2) and regulation 4(2) and (3), 5(2) and (3) or 6(2) and (3)).

(3) The legislation referred to in paragraph (1) is—

- (a) the Maintenance Orders Act 1958**(1)**;
- (b) the Maintenance and Affiliation Orders Act (Northern Ireland) 1966**(2)**;
- (c) the Administration of Justice Act 1970**(3)**;
- (d) the Attachment of Earnings Act 1971**(4)**;
- (e) the Magistrates' Courts (Northern Ireland) Order 1981**(5)**;
- (f) the Civil Jurisdiction and Judgments Act 1982**(6)**;
- (g) the Magistrates' Courts (Civil Jurisdiction and Judgments Act 1982) Rules (Northern Ireland) 1986**(7)**;
- (h) the Debtors (Scotland) Act 1987**(8)**;
- (i) the Social Security Administration Act 1992**(9)**;
- (j) the Social Security Administration (Northern Ireland) Act 1992**(10)**;
- (k) the Debt Arrangement and Attachment (Scotland) Act 2002**(11)**;

(1) 1958 c. 39. Relevant amendments were made by S.I. 2012/2814.

(2) 1966 c. 35. Relevant amendments were made by S.R. 2012/413.

(3) 1970 c. 31. Relevant amendments were made by S.I. 2012/2814.

(4) 1971 c. 32. Relevant amendments were made by S.I. 2012/2814.

(5) S.I. 1981/1675 (N.I. 26). Relevant amendments were made by S.R. 2012/413.

(6) 1982 c. 27. Relevant amendments were made by S.I. 2012/2814.

(7) S.I. 1986/359. Relevant amendments were made by S.R. 2012/413.

(8) 1987 c. 18. Relevant amendments were made by S.S.I. 2012/301.

(9) 1992 c. 5. Relevant amendments were made by S.I. 2012/2814.

(10) 1992 c. 8. Relevant amendments were made by S.R. 201/413.

(11) 2002 asp. 17. Relevant amendments were made by S.S.I. 2012/301.

- (l) the Civil Legal Aid (Scotland) Regulations 2002(12);
- (m) the Bankruptcy and Diligence etc. (Scotland) Act 2007(13);
- (n) the Armed Forces (Forfeiture and Deductions) Regulations 2009(14);
- (o) the Family Procedure Rules 2010(15);
- (p) the Legal Aid, Sentencing and Punishment of Offenders Act 2012(16);
- (q) the International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012(17);
- (r) the International Recovery of Maintenance (Hague Convention 2007) (Scotland) Regulations 2012(18);
- (s) the International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations (Northern Ireland) 2012(19);
- (t) the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013(20);
- (u) the Legal Aid (Financial Resources and Payment for Services) (Legal Persons) Regulations 2013(21).

The International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012

9. In the International Recovery of Maintenance (Hague Convention 2007 etc.) Regulations 2012—

- (a) in regulation 5 (the Convention), omit “which are not European Union Member States”;
- (b) in Schedule 1, paragraph 1(1) (interpretation), in the definition of “Contracting State”, omit “other than an EU Member State”.

(12) S.S.I. 2002/494. Relevant amendments were made by S.S.I. 2012/301.

(13) 2007 asp. 3. Relevant amendments were made by S.S.I. 2012/301.

(14) S.I. 2009/1109. Relevant amendments were made by S.I. 2012/2814.

(15) S.I. 2010/2955. Relevant amendments were made by S.I. 2012/2806.

(16) 2012 c. 10.

(17) S.I. 2012/2814. Relevant amendments were made by S.I. 2014/879 and S.I. 2015/1489.

(18) S.S.I. 2012/301.

(19) S.R. 2012/413. Relevant amendments were made by S.R. 2016/317.

(20) S.I. 2013/480.

(21) S.I. 2013/512.