

SCHEDULE

Amendment of primary and secondary legislation

PART 1

Amendment of primary legislation

Amendment of the Children (Northern Ireland) Order 1995

23.—(1) Schedule 1 to the Children (Northern Ireland) Order 1995(1) is amended as follows.

(2) In paragraph 12 (alteration of maintenance agreements)—

- (a) in sub-paragraph (2), omit “Subject to sub-paragraph (2A),”;
- (b) omit sub-paragraph (2A);
- (c) omit sub-paragraph (2B).

(3) For paragraph 16 (jurisdiction in relation to matters relating to maintenance) substitute—

“**16.**—(1) Where one parent of a child lives in Northern Ireland and the child lives outside Northern Ireland with—

- (a) another parent of the child;
- (b) a guardian of the child; or
- (c) a person in whose favour a residence order is in force with respect to the child,

the court has power, on an application made by any of the persons mentioned in heads (a) to (c), to make one or both of the orders mentioned in paragraph 2(2)(a) and (b) against the parent living in Northern Ireland.

(2) Any reference in this Order to the powers of the court under paragraph 2(2) or to an order made under paragraph 2(2) shall include a reference to the powers which the court has by virtue of sub-paragraph (1) or (as the case may be) to an order made by virtue of sub-paragraph (1).”.

(1) S.I. 1995/755 (N.I. 2), amended by S.I. 2011/1484.