1990 No. 421

MAGISTRATES' COURTS

Magistrates' Courts (Social Security (Northern Ireland) Order 1986) (Transfer of Orders to Maintain and Enforcement of Maintenance Orders) Rules (Northern Ireland) 1990

Made . . . . . *29th November 1990*

Coming into operation . . *1st January 1991*

The Lord Chancellor, in exercise of the powers conferred upon him by Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981(**a**) and all other powers enabling him in that behalf, on the advice of the Magistrates' Courts Rules Committee and after consultation with the Lord Chief Justice, hereby makes the following rules:—

Citation and commencement

1. These rules may be cited as the Magistrates' Courts (Social Security (Northern Ireland) Order 1986) (Transfer of Orders to Maintain and Enforcement of Maintenance Orders) Rules (Northern Ireland) 1990 and shall come into operation on 1st January 1991.

Interpretation

2. In these rules a reference to an Article by number is a reference to that Article as numbered in the Social Security (Northern Ireland) Order 1986(**b**) and expressions which are used in that Order have the same meaning in these rules as they have in that Order.

Transfer of Orders

3.—(1) Where under Article 25A the Department gives notice in writing to a magistrates' court which has made an order under Article 25(4), transferring to a dependant parent (under paragraph (3)) or transferring back from a dependant parent to the Department (under paragraph (7)) the right to receive payments under the order (exclusive of any personal allowance element), the clerk of petty sessions shall note the transfer or transfer back, as the case may be, on the order.

(2) Where in accordance with paragraph (1) a clerk of petty sessions notes a transfer or transfer back on the order made under Article 25(4) he shall—

(**a**) S.I. 1981/1675 (N.I. 26)
(**b**) S.I. 1986/1888 (N.I. 18) as amended by S.I. 1990/1511 (N.I. 15)