1976 No. 12

MAGISTRATES' COURTS

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) (Amendment) Rules (Northern Ireland) 1976

Made . . . . . 16*th January* 1976

Coming into operation . . . 28*th January* 1976

To be laid before Parliament

The Secretary of State(a) in pursuance of section 23 of the Magistrates' Courts Act (Northern Ireland) 1964(b) as extended by sections 6(3), 7(5), 9(10), 10(4) and (5), 18 and 23(3) of the Maintenance Orders (Reciprocal Enforcement) Act 1972(c) on the recommendation 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 (Reciprocal Enforcement of Maintenance Orders) (Amendment) Rules (Northern Ireland) 1976 and shall come into operation on 28th January 1976.

Interpretation

2. In these rules—

"the principal rules" means the Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) Rules (Northern Ireland) 1974(d)

and any reference to a rule or schedule by number is to that rule or schedule as numbered in the principal rules.

Amendment of principal rules

3.—(1) In rule 13(3) the words "and to the payer under the order" shall be omitted and thereafter there shall be added the following paragraph:

"(4) Where the clerk of petty sessions registers a maintenance order under section 6(3), 7(5), 9(10), 10(4), 10(5) or 23(3) of the Act, he shall send to the payer under the order written notice stating—

(*a*) that the order has been duly registered;

(*b*) that sums due under the order should be paid to the clerk of petty sessions; and

(*c*) the hours during which and the place at which such payments should be made.".

(a) Formerly the Minister of Home Affairs for Northern Ireland: *see* S.I. 1973/2163
(b) 1964 c. 21 (N.I.)
(c) 1972 c. 18
(d) S.R. 1974 No. 68