
Changes to legislation: There are currently no known outstanding effects for the Maintenance Enforcement Act 1991, SCHEDULE 2. (See end of Document for details)

SCHEDULES

SCHEDULE 2

Section 11(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

The Attachment of Earnings Act 1971 (c. 32)

- 1 (1) In section 3 of the Attachment of Earnings Act 1971 (application for attachment of earnings order and conditions of court's power to make it), in subsection (1) (persons who may apply for order), in paragraph (c) for the words "section 59(1)" there shall be substituted "section 59".
- (2) Subsection (2) of that section (application, other than by debtor, for attachment of earnings order to secure maintenance payments not to be made unless at least 15 days have elapsed since maintenance order made) shall cease to have effect.
- (3) At the beginning of subsection (3) of that section (attachment of earnings order not to be made, other than on application of debtor, unless one or more payments have not been made) there shall be inserted the words "Subject to subsection (3A) below".
- (4) After that subsection there shall be inserted the following subsection—
- “(3A) Subsection (3) above shall not apply where the relevant adjudication is a maintenance order.”
- (5) In subsection (4) of that section (power of court to make attachment of earnings order where certain enforcement proceedings brought), the words "subject to subsection (5) below" shall cease to have effect.
- (6) Subsection (5) of that section (attachment of earnings order not to be made, other than on application of debtor, if debtor's failure to make payments is not due to his wilful refusal or culpable neglect) shall cease to have effect.

Commencement Information

II Sch. 2 para. 1 wholly in force at 1.4.1992 see s. 12(2) and S.I. 1992/455, art. 2

The Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)

- 2 In section 23 of the Domestic Proceedings and Magistrates' Courts Act 1978 (supplementary provisions with respect to variation and revocation of orders), in subsection (2) (power of magistrates' court under section 60 of 1980 Act to vary etc. order not to apply to order under Part I of Act)—
- (a) after the word "money" there shall be inserted "and the power of the clerk of a magistrates' court to vary such an order"; and
- (b) after the word "and" there shall be inserted "the power of a magistrates' court".

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Commencement Information

I2 Sch. 2 para. 2 wholly in force at 1.4.1992 see s. 12(2) and S.I. 1992/455, art. 2

^{F13}

Textual Amendments

F1 Sch. 2 para. 3 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 11 para. 210 Table; S.I. 2014/954, art. 2(e) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Commencement Information

I3 Sch. 2 para. 3 wholly in force at 1.4.1992 see s. 12(2) and S.I. 1992/455, art. 2

The Justices of the Peace Act 1979 (c. 55)

^{F24}

Textual Amendments

F2 Sch. 2 para. 4 repealed (19.6.1997) by 1997 c. 25, ss. 73(1), 74(1), Sch. 6 Pt. I (with Sch. 4 para. 27)

The Magistrates’ Courts Act 1980 (c. 43)

5 In section 62 of the Magistrates’ Courts Act 1980 (provisions as to payments required to be made to a child, etc), in subsection (1) (which permits payments to be made to person with whom child has his home and permits that person to request clerk of court, under section 59(3) of 1980 Act, to proceed for recovery of arrears), in sub-paragraph (ii) for the words “request the clerk to the magistrates’ court, under subsection (3) of section 59 above” there shall be substituted “ request or authorise the clerk of the magistrates’ court under subsection (1) or subsection (2) respectively of section 59A above ”.

Commencement Information

I4 Sch. 2 para.5 wholly in force at 1.4.1992 see s. 12(2) and S.I. 1992/455, art. 2

^{F36}

Textual Amendments

F3 Sch. 2 paras. 6-8 repealed (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 10 para. 99 Table; S.I. 2014/954, art. 2(d) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)

Commencement Information

I5 Sch. 2 para. 6 wholly in force at 1.4.1992 see s. 12(2) and S.I. 1992/455, art. 2

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F37

Textual Amendments

F3 Sch. 2 paras. 6-8 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 99](#) Table; [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Commencement Information

I6 Sch. 2 para. 7 wholly in force at 1.4.1992 see s. 12(2) and [S.I. 1992/455](#), [art. 2](#)

F38

Textual Amendments

F3 Sch. 2 paras. 6-8 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 99](#) Table; [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Commencement Information

I7 Sch. 2 para. 8 wholly in force at 1.4.1992 see s. 12(2) and [S.I. 1992/455](#), [art. 2](#)

9 In section 143 of that Act (power to alter sums specified in certain provisions), in subsection (2) (which lists those provisions) after paragraph (d) there shall be inserted the following paragraph—
“(dd) section 59B(3) above;”.

Commencement Information

I8 Sch. 2 para. 9 wholly in force at 1.4.1992 see s. 12(2) and [S.I. 1992/455](#), [art. 2](#)

The Children Act 1989 (c. 41)

F410

Textual Amendments

F4 Sch. 2 para. 10 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 210](#) Table; [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Commencement Information

I9 Sch. 2 para. 10 wholly in force at 1.4.1992 see s. 12(2) and [S.I. 1992/455](#), [art. 2](#)

The Courts and Legal Services Act 1990 (c. 41)

11 F5(1)

F6(2)

*Changes to legislation: There are currently no known outstanding effects for the
Maintenance Enforcement Act 1991, SCHEDULE 2. (See end of Document for details)*

Textual Amendments

- F5** Sch. 2 para. 11(1) repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 99](#) Table; [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F6** Sch. 2 para. 11(2) repealed (6.4.2011) by [Courts Act 2003 \(c. 39\)](#), s. 110(1), [Sch. 10](#); [S.I. 2010/2921](#), art. 3(c)
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Commencement Information

- I10** Sch. 2 para. 11 wholly in force at 14.10.1991 see s. 12(2) and [S.I. 1991/2042](#), [art.2](#).

Changes to legislation:

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