
STATUTORY INSTRUMENTS

1995 No. 756

**The Children (Northern Ireland
Consequential Amendments) Order 1995**

The Maintenance Orders Act 1950

2.—(1) The Maintenance Orders Act 1950(1) shall have effect subject to the following provisions of this Article.

(2) In section 12 (contributions under enactments relating to children, etc.)—

(a) in subsection (1)(a) for the words from “section 156” to “that Act)” there shall be substituted the words “Article 41 of the Children (Northern Ireland) Order 1995 (which provides for the recovery from persons liable to contribute of sums in respect of children looked after by an authority under that Order)”;

(b) in subsection (2) for the words “section 156” there shall be substituted the words “Article 41”.

(3) In section 15(1)(a) (service of process), for sub-paragraph (v) there shall be substituted the following sub-paragraph—

“(v) Article 164 of and Schedule 7 to the Children (Northern Ireland) Order 1995 or Article 165(2)(g) of that Order; or”.

(4) In section 16(2)(c) (application of Part II)—

(a) for sub-paragraph (ii) there shall be substituted the following sub-paragraph—

“(ii) Schedule 1 to the Children (Northern Ireland) Order 1995;”;

(b) in sub-paragraph (iv) for the words from the beginning to “1968” there shall be substituted “Article 41 of the Children (Northern Ireland) Order 1995”.

(5) In section 18(3) (enforcement of registered orders), for the words from “if it were” to the end there shall be substituted the words “an order made by that court to which Article 98 of the Magistrates' Courts (Northern Ireland) Order 1981 applies, subject to the modifications of that Article specified in subsection (3ZA) of this section”.

(6) In section 25 (rules as to procedure of courts of summary jurisdiction), after subsection (2) there shall be inserted the following subsection—

“(2A) Without prejudice to the generality of the power to make rules under Article 13 of the Magistrates' Courts (Northern Ireland) Order 1981, for the purpose of giving effect to

(1) 1950 c. 37; section 12(1)(a) and (2) were amended by Article 2(1)(b) and (e) of the Supplementary Benefits, etc., (Consequential Provisions) (Northern Ireland) Order 1977 (S.I. 1977/2158) (“the 1977 Order”) and paragraph 38 of Schedule 10 to the Social Security Act 1986 (c. 50) (“the 1986 Act”); section 15(1)(a)(v) was inserted by the Maintenance Orders (Northern Ireland Consequential Amendments) Order 1980 (S.I. 1980/564) (“the 1980 Order”) Article 3(3); section 16(2)(c) was amended by the Matrimonial Causes Act 1973 (c. 18) Schedule 2 paragraph 3(1)(b), Article 2(1)(f) of the 1977 Order, Article 3(4) of the 1980 Order, paragraph 39(c) of Schedule 10 to the 1986 Act, the Matrimonial and Family Proceedings (Northern Ireland Consequential Amendment) Order 1989 (S.I. 1989/678) Article 2 and the Social Security (Consequential Provisions) Act 1992 (c. 6) Schedule 2 paragraph 3(1); section 18(3) was amended and repealed in part by the Ministry of Social Security Act 1966 (c. 20) Schedule 8, the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)) Schedule 6 Part I paragraph 5 and the Family Law (Northern Ireland Consequential Amendments) Order 1993 (S.I. 1993/1577) Article 2(2)(a); section 25(2) was amended by Part II of Schedule 5 to the Judicature (Northern Ireland) Act 1978 (c. 23).

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this Part of this Act such rules may make, in relation to any proceedings brought under or by virtue of this Part of this Act, any provision not covered by subsection (2) above which—

- (a) falls within paragraph (2) of Article 165 of the Children (Northern Ireland) Order 1995, and
- (b) may be made in relation to relevant proceedings under that Article.”