

1976 No. 12

## MAGISTRATES' COURTS

Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders)  
(Amendment) Rules (Northern Ireland) 1976*Made* . . . . . 16th January 1976*Coming into operation* . . . . . 28th 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

(2) Schedule 1 is amended by inserting immediately after the word "Ontario" the following countries and territories:

Ghana  
 India  
 Kenya  
 New Brunswick  
 Northwest Territories of Canada  
 The Republic of South Africa

(3) Schedule 2 is amended by inserting immediately after the word "Gibraltar" the following countries and territories:

Barbados  
 Bermuda  
 Ghana  
 Kenya

Northern Ireland Office  
 16th January 1976

*Merlyn Rees*  
 One of Her Majesty's Principal  
 Secretaries of State

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#### EXPLANATORY NOTE

*(This note is not part of the rules, but is intended to indicate their general purport.)*

These rules amend the Magistrates' Courts (Reciprocal Enforcement of Maintenance Orders) Rules (Northern Ireland) 1974.

The amendments create further requirements in relation to written notice to be sent to the payee by a clerk of petty sessions who registers a maintenance order.

There are added to Schedules 1 and 2 to the 1974 Rules (transmission of documents via the Secretary of State and transmission of sums via Crown Agents) certain of the countries and territories which are designated as reciprocating countries for the purposes of Part I of the Maintenance Orders (Reciprocal Enforcement) Act 1972 by the Reciprocal Enforcement of Maintenance Orders (Designation of Reciprocating Countries) Order 1975.

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#### 1976 No. 13

This Order has been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. A summary is given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.