

The Ministry of Finance for Northern Ireland, in so far as its approval is necessary under sub-section (2) of Section seven of the Act, hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this eleventh day of December, 1951, in the presence of

(L.S.)

G. N. Cox,
Assistant Secretary.

MAINTENANCE ORDERS

RULES, DATED 9TH JULY, 1951, MADE BY THE LORD CHIEF JUSTICE OF NORTHERN IRELAND UNDER SECTION 13, SUBSECTIONS (2) AND (3) OF SECTION 25 AND SUBSECTION (1) OF SECTION 28 OF THE MAINTENANCE ORDERS ACT, 1950.

1951. No. 126

I, THE RIGHT HONOURABLE JOHN CLARKE, BARON MACDERMOTT, Lord Chief Justice of Northern Ireland, in exercise of the powers conferred upon me by section 13, subsections (2) and (3) of section 25 and subsection (1) of section 28 of the Maintenance Orders Act, 1950, and of all other powers enabling me in this behalf, do hereby make the following Rules:—

PART I

Transfer of Wife Maintenance Proceedings.

1.—(1) Where proceedings under section 3 or section 4 of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland), 1945, are begun against a defendant residing in England or Scotland in a court having jurisdiction by virtue of subsection (1) of section 10 of the Maintenance Orders Act, 1950, then, upon an application in that behalf made by the defendant in accordance with paragraph (2) of this Rule, a resident magistrate acting for the same petty sessions district as that court may, if it appears that the case could be more conveniently heard in a court of summary jurisdiction having jurisdiction in the place where the parties last ordinarily resided together as man and wife, determine that the proceedings shall be removed into the last-mentioned court.

(2) An application under the foregoing paragraph shall be made in writing by or on behalf of the defendant and unless the defendant applies in person there shall be lodged with the clerk of petty sessions of the court in which the proceedings under the said section 3 or section 4 have been begun a statutory declaration by the defendant which shall

state the grounds upon which the application is made and the address of the defendant to which notices may be sent.

(3) The resident magistrate adjudicating on an application made under paragraph (1) of this Rule shall, unless he determines that the application shall be refused forthwith, afford to the complainant an opportunity of making representations, either orally or in writing, thereon.

(4) Where a resident magistrate determines under paragraph (1) of this Rule that the proceedings under the said section 4 shall be removed into another court of summary jurisdiction, he shall cause the clerk of petty sessions of the court in which the said proceedings have been begun to send to the clerk of that other court the complaint, a copy of the summons and any other relevant documents; and, on receipt thereof in that other court, the complaint shall be deemed to have been made in, and the summons to have been issued by, that other court, and any resident magistrate acting for the same place as that other court may appoint a time and place for the hearing of the proceedings which, upon notice thereof being sent by registered post to the complainant and defendant, shall be deemed to have been the time and place appointed in the summons.

PART II

Procedure under Part II of the Act in relation to Maintenance Orders made by Courts of Summary Jurisdiction in Northern Ireland

2.—(1) An application for the registration in a court in England or Scotland under Part II of the Act of a maintenance order made by a court of summary jurisdiction in Northern Ireland shall be made, in writing by or on behalf of the person entitled to the payments thereunder, to a resident magistrate acting for the same petty sessions district as the court which made the order; and, unless the applicant appears in person, there shall be lodged with the clerk of petty sessions of the court which made the order a statutory declaration by the applicant which shall contain the particulars specified in paragraph (2) of this Rule.

(2) A statutory declaration lodged under the foregoing paragraph shall state:—

- (a) the address of the person liable to make the payments under the order;
- (b) the reason why it is convenient that the order should be enforced in England or Scotland, as the case may be;
- (c) unless a certificate of arrears is lodged under section 26 of the Act, the amount of any arrears due under the order;
- (d) that the order is not already registered under Part II of the Act.

(3) If it appears to the resident magistrate dealing with an application made as aforesaid that the person liable to make the payments under the order resides in England or Scotland, and that it is convenient that the order should be enforceable there, he shall cause the clerk of petty sessions of the court which made the order to send to the clerk of the court of summary jurisdiction in England, or, as the case may be, to the sheriff-clerk of the sheriff court in Scotland, having jurisdiction in the place in which the person liable to make the payments under the order appears to be :—

- (a) a certified copy of the order ;
- (b) the certificate of arrears or statutory declaration (if any) ;
- (c) if no statutory declaration has been lodged, written notice of the address of the person liable to make the payments under the order.

(4) A record of any proceedings taken under the foregoing provisions of this Rule for the registration of a maintenance order in a court in England or Scotland shall be entered in the order-book kept pursuant to section 21 of the Act of 1851 ; and on the receipt by the clerk of petty sessions of the court which made the order (who shall be the prescribed officer of that court for the purposes of subsection (4) of section 17 of the Act) of notice under the said subsection (4) of the registration of the order he shall cause particulars of the notice to be registered in his court by means of an entry made and signed by him in the order-book kept pursuant to the said section 21.

3.—(1) An application to a court of summary jurisdiction in Northern Ireland under subsection (5) of section 22 of the Act to adduce evidence in connection with a maintenance order made by that court and registered in a court in England or Scotland may be made orally by or on behalf of the applicant and the proceedings may be *ex parte*.

(2) The court in which application is made under the last foregoing paragraph shall cause a transcript or summary of any evidence taken therein to be sent to the clerk of the court in which the order is registered.

(3) The clerk of petty sessions of the court of summary jurisdiction in Northern Ireland by which a maintenance order registered in a court in England or Scotland was made shall be the prescribed officer to whom any transcript or summary of evidence adduced in the court in England or Scotland under the said subsection (5) shall be sent.

4.—(1) Where a maintenance order made by a court of summary jurisdiction in Northern Ireland and registered in a court in England or Scotland is varied under subsection (1) of section 22 of the Act by the court in which it is registered, the clerk of petty sessions of the court which made the order shall be the prescribed officer to whom, under subsection (1) of section 23 of the Act, notice of the variation shall be

given ; and on receipt of such notice he shall cause particulars of the same to be registered in his court by means of an entry made and signed by him in the order-book kept pursuant to section 21 of the Act of 1851 :

(2) Where a maintenance order made by a court of summary jurisdiction in Northern Ireland and registered in a court in England or Scotland is discharged or varied by the court which made it, the clerk of petty sessions of that court shall give notice of the discharge or variation to the clerk of the court in which the order is registered by sending to him a certified copy of the order discharging or varying the maintenance order.

5.—(1) An application under subsection (2) of section 24 of the Act for the cancellation of the registration of a maintenance order made by a court of summary jurisdiction in Northern Ireland and registered in a court in England or Scotland may be made, either orally or in writing by or on behalf of the person liable to make the payments thereunder, to a resident magistrate acting for the same petty sessions district as the court which made the order ; and, unless the applicant appears in person, there shall be lodged with the clerk of petty sessions of the court which made the order a statutory declaration by the applicant stating the facts upon which he relies in support of the application.

(2) If it appears to the resident magistrate dealing with an application made as aforesaid that the person liable to make the payments under the order has ceased to reside in England or Scotland, as the case may be, he shall cause the clerk of petty sessions of the court which made the order to send notice to that effect to the clerk of the court in which the order is registered.

6. On the cancellation under section 24 of the Act of the registration in a court in England or Scotland of a maintenance order made by a court of summary jurisdiction in Northern Ireland, the clerk of petty sessions of the last-mentioned court shall be the prescribed officer to whom, under subsection (3) of the said section 24, notice of the cancellation shall be given ; and on the receipt of such notice he shall cause particulars of the same to be registered in his court by means of an entry made and signed by him in the order-book kept pursuant to section 21 of the Act of 1851.

PART III

Procedure in Court of Summary Jurisdiction in Northern Ireland under Part II of the Act in relation to Maintenance Orders made by Courts in England or Scotland

7. The clerk of petty sessions of the court of summary jurisdiction in Northern Ireland specified in paragraph (b) of subsection (3) of section 17 of the Act shall be the prescribed officer for the purpose of subsection (2) of the said section 17, and on receiving, in pursuance of

that section, a certified copy of a maintenance order made by a court in England or Scotland he shall cause the order to be registered in his court by means of an entry made and signed by him in the order-book kept pursuant to section 21 of the Act of 1851, and shall send written notice to the clerk of the court by which the order was made that it has been duly registered.

8. An application for the variation under subsection (1) of section 22 of the Act of the rate of the payments under a maintenance order registered under Part II of the Act in a court of summary jurisdiction in Northern Ireland shall be made by way of complaint in accordance with the Summary Jurisdiction Acts (Northern Ireland), and thereupon a summons may be issued directed to any person whom the justice to whom the complaint is made may consider proper to answer the same.

9.—(1) An application made to a court of summary jurisdiction in Northern Ireland under subsection (5) of section 22 of the Act to adduce evidence in connection with a maintenance order registered therein under Part II of the Act may be made orally by or on behalf of the applicant and the proceedings may be *ex parte*.

(2) The court in which application is made under the last foregoing paragraph shall cause a transcript or summary of any evidence taken therein to be sent to the clerk of the court in England or Scotland by which the order was made.

(3) The clerk of petty sessions of the court of summary jurisdiction in Northern Ireland in which a maintenance order is registered under Part II of the Act shall be the prescribed officer to whom any transcript or summary of evidence adduced under the said subsection (5) in the court in England or Scotland by which the order was made shall be sent.

10.—(1) Where a maintenance order registered under Part II of the Act in a court of summary jurisdiction in Northern Ireland is varied under subsection (1) of section 22 of the Act by that court, the clerk of petty sessions of the court shall give notice of the variation to the clerk of the court in England or Scotland, as the case may be, by which the order was made by sending to him a certified copy of the order of variation.

(2) Where a maintenance order registered under Part II of the Act in a court of summary jurisdiction in Northern Ireland is discharged or varied by any other court, the clerk of petty sessions of the court in which it is registered shall be the prescribed officer to whom under subsection (2) of section 23 of the Act notice of the discharge or variation shall be given; and on receipt of a certified copy of an order discharging or varying the registered order, he shall cause particulars of the same to be registered in his court by means of an entry made and signed by him in the order-book kept pursuant to section 21 of the Act of 1851.

11.—(1) An application under subsection (1) of section 24 of the Act for the cancellation of the registration of a maintenance order registered under Part II of the Act in a court of summary jurisdiction in Northern Ireland shall be made to the clerk of petty sessions of that court by lodging with him a written application in that behalf (which shall state the date of the registration of the order) together with a copy of the order the registration of which it is sought to cancel.

(2) Where, in pursuance of an application made as aforesaid, the clerk of petty sessions cancels the registration of the maintenance order he shall send written notice of the cancellation to the clerk of the court by which the order was made.

12. Where a maintenance order is registered under Part II of the Act in a court of summary jurisdiction in Northern Ireland, the petty sessions clerk of that court shall be the prescribed officer to whom notice shall be sent under subsection (2) of section 24 of the Act that the person liable to make the payments under the order has ceased to reside in Northern Ireland; and on receipt of such notice the clerk of petty sessions shall cancel the registration of the order and shall send written notice of the cancellation to the clerk of the court by which the order was made.

PART IV

Forms

13. An application under subsection (1) of section 13 of the Act for the removal of proceedings begun against a defendant residing in England or Scotland into a Court of Summary Jurisdiction having jurisdiction in the place where the parties last ordinarily resided together as man and wife shall be in the form number 1 in the Schedule to these Rules, or any form to the like effect.

14.—(1) An application under subsection (1) of section 17 of the Act for the registration of a Maintenance Order under Part II of the Act in a Court of Summary Jurisdiction in Northern Ireland shall be in the form number 2 in the Schedule to these Rules, or any form to the like effect.

(2) A notice under subsection (4) of the said section of the registration of a certified copy of a Maintenance Order in a Court of Summary Jurisdiction in Northern Ireland shall be in the form number 3 in the Schedule to these Rules, or any form to the like effect.

15.—(1) A notice under subsection (4) of section 19 of the Act that the payments under a maintenance order have, on its registration under Part II of the Act in a court of summary jurisdiction in Northern Ireland, become payable through or to any officer or person shall be in the

form number 4 in the Schedule to these Rules, or any form to the like effect, and shall be sent by registered post by the clerk of petty sessions of that court to the person liable to make the payments under the order at his last known address.

(2) A notice under the said subsection (4) that the payments under a maintenance order made by a court of summary jurisdiction in Northern Ireland have, on its registration under Part II of the Act in a court in England or Scotland, ceased to be payable through or to any officer or person shall be in the form number 5 in the Schedule to these Rules, or any form to the like effect, and shall be sent by registered post by the clerk of petty sessions of the first-mentioned court to the person liable to make the payments under the order at his last known address.

16.—(1) A certificate lodged under subsection (1) of section 20 of the Act as to the amount of any arrears due under a maintenance order made by a court of summary jurisdiction in Northern Ireland shall be in the form number 6 in the Schedule to these Rules, or any form to the like effect.

(2) A Statutory Declaration lodged under the said subsection (1) as to the amount of any arrears due under a Maintenance Order made by a Court of Summary Jurisdiction in Northern Ireland shall be in the form number 7 in the Schedule to these Rules, or any form to the like effect.

17.—(1) An application under subsection (1) of section 22 of the Act to vary the rate of payment under a Maintenance Order registered in a Court of Summary Jurisdiction in Northern Ireland under Part II of the Act shall be in form number 8 in the Schedule to these Rules, or any form to the like effect. An order made by a Court of Summary Jurisdiction in Northern Ireland varying the rate of payment shall be in the form number 9 in the Schedule to these Rules, or any form to the like effect.

(2) An application under subsection (4) of the said section to discharge or vary a Maintenance Order registered in a Court of Summary Jurisdiction in Northern Ireland under Part II of the Act shall be in the form number 10 in the Schedule to these Rules, or any form to the like effect. An order made by a Court of Summary Jurisdiction in Northern Ireland discharging or varying such an order shall be in the form number 11 in the Schedule to these Rules, or any form to the like effect.

18.—(1) An application under subsection (1) of section 24 of the Act for the cancellation of the registration under Part II of the Act of a Maintenance Order in a Court of Summary Jurisdiction in Northern Ireland shall be in the form number 12 in the Schedule to these Rules, or any form to the like effect.

(2) An application under subsection (2) of the said section for the cancellation of the registration under Part II of the Act of a Maintenance Order in a Court of Summary Jurisdiction in Northern Ireland shall be in the form number 13 in the Schedule to these Rules, or any form to the like effect. A notice of any such application having been made shall be in the form number 14 in the Schedule to these Rules, or any form to the like effect.

(3) A notice under subsection (3) of the said section of the cancellation of the registration under Part II of the Act of a Maintenance Order in a Court of Summary Jurisdiction in Northern Ireland shall be in form number 15 in the Schedule to these Rules, or any form to the like effect.

(4) A notice under subsection (5) of the said section of the cancellation of the registration under Part II of the Act of a maintenance Order in a court of summary jurisdiction in Northern Ireland shall be in the form number 16 in the Schedule to these Rules, or any form to the like effect, and shall be sent by registered post by the clerk of petty sessions of that court to the person liable to make the payments under the order at his last known address.

PART V

Interpretation and Commencement

19.—(1) In Parts II to V of these Rules, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them :—

“ maintenance order ” has the same meaning as in Part II of the Act ;

“ the Act ” means the Maintenance Orders Act, 1950 ;

“ the Act of 1851 ” means the Petty Sessions (Ireland) Act, 1851 ; and other expressions used in these Rules have the meanings assigned to them in section 28 of the Act.

(2) The Interpretation Act, 1889, shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

20. These Rules may be cited as the Maintenance Orders Act, 1950 (Summary Jurisdiction) Rules (Northern Ireland), 1951, and shall come into operation on the sixteenth day of July, 1951.

Given under my hand this 9th day of July, 1951.

MacDermott,

Lord Chief Justice of Northern Ireland.

SCHEDULE

MAINTENANCE ORDERS ACT, 1950

FORM No. 1

APPLICATION TO REMOVE PROCEEDINGS INTO ANOTHER COURT
IN NORTHERN IRELAND

Section 13 (1)

Complainant.	}	Petty Sessions District of
Defendant.	}	County of

To The Clerk of Petty Sessions for the said District.

NOTICE IS HEREBY GIVEN that the defendant in the above case applies that the proceedings be removed from the Court for the above-named Petty Sessions District, in which the Summons has been issued, to the Court of Summary Jurisdiction for the Petty Sessions District of _____ in the County of _____ being a Court having jurisdiction in which the parties to the proceedings last ordinarily resided together as man and wife.

The grounds upon which such application is made are as follows :—

Dated this _____ day of _____ 19 _____

.....
 Defendant,
 (or Solicitor for the Defendant).

.....
 Address

FORM NO. 2

Section 17 (1)

APPLICATION TO RESIDENT MAGISTRATE IN NORTHERN IRELAND
TO HAVE MAINTENANCE ORDER REGISTERED IN A COURT IN
ENGLAND OR SCOTLAND

Complainant.	}	Petty Sessions District of
Defendant.		County of

The Information and application of _____
of _____ who saith on h _____ Oath (1) that :—

1. At the court of summary jurisdiction held in and for the above-named Petty Sessions District and County on the _____ day of _____ 19 _____, a maintenance order was made under the provisions of (2)

_____ whereby the defendant was ordered to pay a weekly sum of _____ to the Complainant, (3) *and said sums were ordered to be paid through the Clerk of Petty Sessions for the said District.*

2. (3) *The Complainant has requested me, the person through whom said payments were ordered to be made, to make application for the registration of said order under Part II of the Maintenance Orders Act, 1950.*

3. The defendant now resides at _____ and it is convenient that the order should be enforceable in a court in that part of the United Kingdom.

4. The said maintenance order is not registered under the Maintenance Orders Act, 1950, in any other Court in the United Kingdom.

And the said Informant applies that the said Maintenance Order be registered in a court having jurisdiction in that part of the United Kingdom in which the defendant is now resident.

TAKEN before me, a Resident Magistrate,

at

.....
Informant.

in the County of

this day of _____ 19 _____

Resident Magistrate.

- (1) Or Affirmation.
(2) Insert Act under which Order was made.
(3) Delete if inapplicable.

Maintenance Orders

FORM No. 3

Section 17 (4)

NOTICE BY RECEIVING OFFICER IN NORTHERN IRELAND OF REGISTRATION OF MAINTENANCE ORDER MADE IN ENGLAND OR SCOTLAND

Complainant, } Petty Sessions District of
Defendant. } County of

WHEREAS a certified copy of a maintenance order within the meaning of above Act, made at ... in the County of ... on the ... day of ... 19 ... has been received by me from the appropriate authority of that Court in accordance with the provisions of Part II of the Act and the Rules made thereunder,

I HEREBY GIVE NOTICE that the said order has been registered in the Court of Summary Jurisdiction for the above-named Petty Sessions District and County.

Dated this ... day of ... 19 ...

Clerk of Petty Sessions for the said District.

FORM No. 4

Section 19 (4)

NOTICE TO PERSON LIABLE TO MAKE PAYMENTS THAT SUMS PAYABLE UNDER A MAINTENANCE ORDER REGISTERED IN A COURT OF SUMMARY JURISDICTION IN NORTHERN IRELAND HAVE BECOME PAYABLE THROUGH COLLECTING OFFICER.

Complainant, } Petty Sessions District of
Defendant. } County of

To ... of ...

YOU ARE HEREBY GIVEN NOTICE that the sums payable by you under a Maintenance Order made under ... on the ... day of ... 19 ... by the ... and registered in this Court under Part II of the Maintenance Orders Act, 1950, have, under an order of this Court dated the ... day of ... 19 ... become payable through the Collecting Officer of this Court, [or the Court of Summary Jurisdiction sitting at ...].

Payments under the order (including payments in respect of any sums due at the date of the receipt by you of this notice) should henceforth be sent to me [or to the said Collecting Officer] at

Dated the ... day of ... 19 ...

Clerk of Petty Sessions for the above-named District.

MAINTENANCE ORDERS

FORM No. 5.

Section 19 (4)

NOTICE TO PERSON LIABLE TO MAKE PAYMENTS THAT SUMS PAYABLE UNDER A MAINTENANCE ORDER MADE BY A COURT OF SUMMARY JURISDICTION IN NORTHERN IRELAND HAVE CEASED TO BE PAYABLE TO OR THROUGH ANY OFFICER OR PERSON.

Complainant.	}	Petty Sessions District of
Defendant.		County of

To _____ of _____

YOU ARE HEREBY GIVEN NOTICE that the sums payable by you under a maintenance order made on the _____ day of _____ 19____, by this Court have, by reason of the registration of the said order in the _____ Court _____ ceased to be payable through [or to]

Payments under the order (including payments in respect of any sums due at the date of the receipt by you of this notice) should henceforth be paid to _____

[unless you receive, or have meanwhile received, notice from the clerk of the said court in England (or Scotland) that they are to be paid to any other person].

Dated the _____ day of _____ 19____.

Clerk of Petty Sessions for the above-named District.

FORM No. 6

Section 20 (1)

CERTIFICATE OF ARREARS

Complainant.	}	Petty Sessions District of
Defendant.		County of

I HEREBY CERTIFY that the arrears due at the date of this certificate under (insert particulars of Maintenance Order) made on the _____ day of _____ 19____, by a Court of Summary Jurisdiction for the above-named Petty Sessions District, the payments whereunder are at present required to be made to [or through] me, amount to

Dated this _____ day of _____ 19____.

Collecting Officer of the Court of Summary Jurisdiction for the above-named Petty Sessions District.

FORM No. 7

Section 20 (1)

STATUTORY DECLARATION BY PERSON OTHER THAN OFFICER OF COURT AS TO AMOUNT OF ARREARS DUE ON MAINTENANCE ORDER

Complainant.	}	Petty Sessions District of
Defendant.		County of

I, _____ of _____ do solemnly and sincerely declare that the payments ordered to be made by defendant under the maintenance order made herein on the _____ day of _____ 19____, have not been made according thereto by him and that the amount of arrears now due by the defendant is £ _____.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the provisions of the Statutory Declarations Act, 1835.

Declarant.

Made and subscribed before me this _____ day of _____, 19____.

Justice of the Peace for the said County.

MAINTENANCE ORDERS

FORM No. 8

Section 22 (1)

SUMMONS TO VARY RATE OF PAYMENTS UNDER A MAINTENANCE
ORDER MADE IN ENGLAND OR SCOTLAND AND REGISTERED IN A
COURT IN NORTHERN IRELAND

Complainant.	} Petty Sessions District of
Defendant.	

WHEREAS a complaint has been made to me that on the day of
19 , a Maintenance Order was made at the
Court under the provisions of (1)
whereby the above-named
was ordered to pay a weekly sum of to the
above-named , and that said order was on
the day of , 19 , registered under the
provisions of the Maintenance Orders Act, 1950, in the Court of Summary Jurisdiction
for the above-named Petty Sessions District,

AND WHEREAS the said now applies that the
weekly payments under said Order should be (2) in amount
on the ground that [the means of the said have
been altered in amount since the said order was made]

THIS IS THEREFORE TO COMMAND YOU to appear as a Defendant on the hearing of
the said complaint at the Petty Sessions Court House, on
the day of 19 , at
o'clock in the forenoon, before such Resident Magistrate as shall be there, to show
cause why an order should not be made varying the amount payable under the said
Order.

Dated this day of 19 .

To Justice of the Peace for the said County.
of

- (1) Insert Act under which order made.
(2) Increased or reduced.

Maintenance Orders

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FORM No. 9

Section 22 (1)

ORDER VARYING RATE OF PAYMENTS UNDER A MAINTENANCE ORDER MADE IN ENGLAND OR SCOTLAND AND REGISTERED IN A COURT IN NORTHERN IRELAND

Complainant.	}	Petty Sessions District of
Defendant.		County of

Before the Court of Summary Jurisdiction sitting at
on the day of 19

WHEREAS a complaint was made that on the day of 19 ,
a maintenance order was made at the Court

under the provisions of (1)

whereby the above-named

was ordered to pay a weekly sum of to the above-named
named , and that said order was on the
day of 19 , registered under the provisions of
the Maintenance Orders Act, 1950, in the Court of Summary Jurisdiction for the
Petty Sessions District of

AND WHEREAS the said has applied that the
weekly payments under said order should be (2)
in amount on the ground that [the means of the said
have been altered in amount since the said order was made],

The Court, being satisfied that the said weekly payments should be varied, hereby
orders that the amount payable under said order be (2) to the
sum of per week, the first of such payments to be
made on the day of 19

Dated this day of 19

Resident Magistrate.

(1) Insert Act under which Order made.
(2) Increased or reduced.

MAINTENANCE ORDERS

FORM No. 10

Section 22 (4)

SUMMONS TO DISCHARGE [OR VARY] MAINTENANCE ORDER MADE
IN NORTHERN IRELAND AND REGISTERED IN A COURT IN ENGLAND
OR SCOTLAND

Complainant.	}	Petty Sessions District of
Defendant.		County of

WHEREAS a complaint has been made to me that on the _____ day of _____ 19____, a Maintenance Order was made at the Court of Summary Jurisdiction held in _____ and for the above-named Petty Sessions District and County under the provisions of (1) _____ whereby the above-named _____ was ordered to pay a weekly sum of _____ to the above-named _____

(2)

and that said Order was on the _____ day of _____ 19____, registered under the provisions of the Maintenance Orders Act, 1950, in the _____ Court

AND WHEREAS the said _____ now applies that the said order be discharged [varied in the following manner :—]

on the ground that

THIS IS THEREFORE TO COMMAND YOU to appear as a defendant on the hearing of the said complaint at the Petty Sessions Court House, _____ on the _____ day of _____ 19____, at _____ o'clock in the forenoon, before such Resident Magistrate as shall be there, to show cause why the said Order should not be discharged [varied].

Dated this _____ day of _____ 19____

To _____ }
of _____ } Justice of the Peace for the said County.

(1) Insert Act under which Order made.

(2) Insert such other provisions of original order as may be material to the present application.

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FORM No. 11

Section 22 (4)

ORDER TO DISCHARGE [OR VARY] MAINTENANCE ORDER MADE IN NORTHERN IRELAND AND REGISTERED IN A COURT IN ENGLAND OR SCOTLAND

Complainant. } Petty Sessions District of
Defendant. } County of

Before the Court of Summary Jurisdiction sitting at
on the day of 19

WHEREAS a complaint was made that on the day of
19, a maintenance order was made at the Court
whereby the above-named under the provisions of (1) was ordered to pay a weekly
sum of to the above-named (2)

and that said order was on the day of 19,
registered under the provisions of the Maintenance Orders Act, 1950, in the Court
of Summary Jurisdiction for the Petty Sessions District of

AND WHEREAS the said has applied that the
said order be discharged [varied in the following manner :—] (3)

on the ground that (4)

The Court being satisfied that the said order should be discharged [varied] it is
hereby ordered that it be discharged [varied in the following manner :—]

Dated this day of 19

Resident Magistrate.

- (1) Insert Act under which Order was made.
(2) Insert such other provisions of original Order as may be material.
(3) Insert nature of application as stated in summons.
(4) Insert grounds as stated in summons.

MAINTENANCE ORDERS

FORM No. 12

Section 24 (1)

APPLICATION BY OR ON BEHALF OF PERSON ENTITLED TO PAYMENTS TO CANCEL REGISTRATION OF MAINTENANCE ORDER

Complainant.	}	Petty Sessions District of
Defendant.		County of

To :—The Clerk of Petty Sessions for the above District.

I, _____ of _____
 being [on behalf of] the person entitled to payments under a maintenace order made under (1)
 at the _____ Court
 on the _____ day of _____ 19 _____, which said order is registered in the Court of Summary Jurisdiction for the above District, hereby apply to you to cancel the said registration, for the following reason :—

Dated this _____ day of _____ 19 _____

Applicant.

(1) Insert Act under which Order made.

Maintenance Orders

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FORM No. 13

Section 24 (2)

APPLICATION TO RESIDENT MAGISTRATE, BY OR ON BEHALF OF PERSON LIABLE TO MAKE PAYMENTS, TO CANCEL REGISTRATION OF MAINTENANCE ORDER

Complainant. } Petty Sessions District of
Defendant. } County of

The Information and application of
of who saith on h Oath (1) that :-

1. At the Court of Summary Jurisdiction held in and for the said Petty Sessions District and County on the day of 19, a maintenance order was made under the provisions of (2) whereby the defendant was ordered to pay a weekly sum of to the Complainant.

2. The said order was on the day of 19, registered under the Maintenance Orders Act, 1950, in the Court.

3. The defendant has ceased to reside in England [Scotland].

And the said Informant applies that the registration of said maintenance order be cancelled.

Informant. } Taken before me, a Resident Magistrate
at
in the County of
this day of 19

Resident Magistrate.

(1) Or affirmation.
(2) Insert Act under which Order made.

MAINTENANCE ORDERS

FORM No. 14

Section 24 (2)

NOTICE OF APPLICATION HAVING BEEN MADE BY OR ON BEHALF
OF PERSON LIABLE TO MAKE PAYMENTS TO CANCEL REGISTRATION
IN ENGLAND OR SCOTLAND.

Complainant.	}	Petty Sessions District of
Defendant.		County of

To the Clerk to the Justices at

&c.

NOTICE IS HEREBY GIVEN that application by [on behalf of] the defendant in the above case, has been made for the cancellation of the registration in your Court of the Maintenance Order herein, on the ground that the defendant has ceased to reside in England [Scotland].

Dated this

day of

19

Clerk of Petty Sessions for the said District.

FORM No. 15

Section 24 (3)

NOTICE OF CANCELLATION OF REGISTRATION OF ORDER MADE IN
ENGLAND OR SCOTLAND AND REGISTERED IN A COURT IN NORTHERN
IRELAND

Complainant.	}	Petty Sessions District of
Defendant.		County of

To :—The Clerk to the Justices at

&c.

[or to

of

the person liable to make payments].

NOTICE IS HEREBY GIVEN that the registration in the Court of Summary Jurisdiction for the above District of the maintenance order in the above case has, [on application *on behalf* of the person entitled to the payments thereunder] been cancelled.

Dated this

day of

19

Clerk of Petty Sessions for the above District.

FORM No. 16

Section 24 (5)

NOTICE OF CANCELLATION OF REGISTRATION OF MAINTENANCE ORDER IN COURT OF SUMMARY JURISDICTION IN NORTHERN IRELAND

Complainant. } Petty Sessions District of
Defendant. } County of

To :— (The person liable to make payment).

YOU ARE HEREBY GIVEN notice that the registration in this Court under Part II of the Maintenance Orders Act, 1950, of the (insert particulars of Maintenance Order) made on the day of 19 by (state Court in England or Scotland by which order was made) has been cancelled.

Sums payable by you under the said order have, by reason of the cancellation of the registration of the said order, ceased to be payable through [or to] (state officer or person through or to whom payments have hitherto been required to be made)

Payments under the order (including payments in respect of any sums due at the date of the receipt by you of this notice) should henceforth be paid to (state name and address of person entitled to payments under the Order) [unless you receive, or have meanwhile received, notice from the Clerk of the said Court in England (or Scotland) that they are to be paid to any other person].

Dated this day of 19

Clerk of Petty Sessions for the above-named District.

MALONE TRAINING SCHOOL

REGULATIONS, DATED 21ST NOVEMBER, 1951, MADE BY THE MINISTRY OF HOME AFFAIRS, WITH THE APPROVAL OF THE MINISTRY OF FINANCE, UNDER SUB-SECTION (3) OF SECTION THREE OF THE MALONE TRAINING SCHOOL ACT (NORTHERN IRELAND), 1926.

1951. No. 207

The Ministry of Home Affairs in exercise of the powers vested in it by sub-section (3) of Section Three of the Malone Training School Act (Northern Ireland), 1926, with the approval of the Ministry of Finance, hereby makes the following Regulations :—

- 1. The contribution payable by the council of a county or county borough under the said sub-section in respect of a youthful offender in the School referred to in that sub-section during any period or periods occurring after the thirty-first day of March, nineteen hundred and fifty one, and before the first day of April, nineteen hundred and fifty two, shall be at the rate of fifty-seven shillings and two pence (57s. 2d.) for each week during which he is so detained.