
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments which are consequential on the Children (Northern Ireland) Order 1995 (“the Children Order”).

Article 2 amends the Maintenance Orders Act 1950 to take account of the new arrangements under the Children Order relating to financial provision and jurisdiction. Articles 3 and 4 amend provisions of the Army Act 1955 and the Air Force Act 1955 relating to the maintenance of children in care and Article 5 amends provisions of the Social Work (Scotland) Act 1968 relating to the transfer of children who are subject to certain orders between Scotland and Northern Ireland.

Article 6 amends section 12 of the Civil Evidence Act 1968 (findings of paternity as evidence in civil proceedings) to take account of the abolition of affiliation proceedings by the Children Order and the amendment by that Order of section 8 of the Civil Evidence Act (Northern Ireland) 1971 (which makes similar provision in Northern Ireland).

Article 7 removes from the scope of sections 25 and 32 of the Children and Young Persons Act 1969 (transfers between England or Wales and Northern Ireland and detention of absentees) children deemed to be subject to a care order under the Children Order. Articles 8 to 10 make minor consequential amendments. Articles 11 and 12 amend the Child Abduction and Custody Act 1985 and the Family Law Act 1986 principally to take account of orders under the Children Order.

Article 13 inserts in section 26(2) of the Child Support Act 1991 (disputes about parentage) references to enactments amended by the Children Order and Article 14 amends the Armed Forces Act 1991 principally to take account of parental contact orders under Article 53 of the Children Order.

Article 15 and the Schedule make repeals and revocations including those which are consequential on the abolition of affiliation proceedings and Article 16 contains a saving for certain affiliation and other orders.