



# Maintenance and Affiliation Orders Act (Northern Ireland) 1970

## 1970 CHAPTER 16

An Act to remove limits on maintenance orders in courts of summary jurisdiction; to extend the time limit for complaints on the ground of adultery; and to provide for the return of certain moneys paid to collecting officers. [23rd June 1970]

### **1 Power to increase amounts payable under existing orders.**

*Subs.(1) rep. by SLR 1980*

- (2) Any order made by a court of summary jurisdiction before the commencement of this Act may be varied so as to include, from the date of the variation, provision for the payment of such increased sums as would have been lawful if the order had been made after the commencement of this Act.

*Subs.(3) rep. by SLR 1980*

*S.2 rep. by 1980 NI 5*

### **3 Return of certain moneys received by collecting officers under orders for periodical payment.**

- (1) On the hearing of a complaint for the revocation, suspension, variation or discharge of an order for the periodical payment of money, a court of summary jurisdiction may order the return to the person against whom the order was made of the whole or any part of such part of the sum received under the order by the collecting officer under<sup>[F1]</sup> Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981<sup>[F1]</sup>, as can not, at the time of the hearing, be paid to the person named in the order.
- (2) Where a collecting officer makes an application in that behalf, a court of summary jurisdiction—
- (a) may order the return to the person against whom an order for the periodical payment of money has been made of the whole or any part of such part of the sum received under the order by the collecting officer under<sup>[F1]</sup> Article 85 of the Magistrates' Courts (Northern Ireland) Order 1981<sup>[F1]</sup>, as can not,

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**Changes to legislation:** There are currently no known outstanding effects for the Maintenance and Affiliation Orders Act (Northern Ireland) 1970. (See end of Document for details)

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at the time of the hearing of the application, be paid to the person named in the order; and

(b) may suspend any such order.

(3) An application under subsection (2) shall be made in accordance with magistrates' courts rules and<sup>F1</sup> Articles 77(2) and 81(2) of the Magistrates' Courts (Northern Ireland) Order 1981<sup>F1</sup> shall not apply in relation to the proceedings on any such application.

(4) Subsections (1) and (2) apply to orders for the periodical payment of money made before or after the commencement of this Act.

<b>F1</b> 1981 NI 26
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#### **4 Short title.**

This Act may be cited as the Maintenance and Affiliation Orders Act (Northern Ireland) 1970.