



2008 CHAPTER 10

PART 2

CHILD SUPPORT ETC.

Maintenance calculations

Determination of applications for a variation

10.—(1) Article 28D of the Child Support Order is amended as follows.

(2) After paragraph (2) insert—

“(2A) Paragraph (2B) applies if

- (a) the application for a variation is made by the person with care, and
- (b) it appears to the Department that consideration of further information or evidence may affect its decision under paragraph (1)(a) whether or not to agree to a variation.

(2B) Before making the decision under paragraph (1)(a) the Department must—

- (a) consider any such information or evidence that is available to it, and
- (b) where necessary, take such steps as the Department considers appropriate to obtain any such further information or evidence.”.

(3) In paragraph (3), after “duties” insert “ , apart from the duty under paragraph (2B) ”.

Changes to legislation: *Child Maintenance Act (Northern Ireland) 2008, Section 10 is up to date with all changes known to be in force on or before 01 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Commencement Information

- I1** S. 10 in operation at 10.12.2012 for specified purposes by [S.R. 2012/440](#), [arts. 2\(1\)\(a\), 3](#) (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 4)
- I2** S. 10 in operation at 29.7.2013 for specified purposes by [S.R. 2013/201](#), [arts. 2\(1\)\(a\), 3](#) (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 5)
- I3** S. 10 in operation at 25.11.2013 in so far as not already in operation by [S.R. 2013/276](#), [art. 2\(a\)](#) (with [arts. 3-5](#))

Changes to legislation:

Child Maintenance Act (Northern Ireland) 2008, Section 10 is up to date with all changes known to be in force on or before 01 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SR 2012/440 art. 3 by [S.R. 2014/194 art. 4](#)
- specified provision(s) amendment to earlier commencing SR 2013/201 art. 3 by [S.R. 2014/194 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(3) inserted by [S.I. 2015/2006 \(N.I.\) art. 126\(2\)](#)