



2008 CHAPTER 10

PART 2

CHILD SUPPORT ETC.

Miscellaneous

Liable relative provisions: exclusion of parental duty to maintain

35.—(1) In section 100 of the Social Security Administration (Northern Ireland) Act 1992 (c. 8) (failure to maintain), for subsection (3) substitute—

“(3) Subject to subsection (4), for the purposes of this Part, a person shall be liable to maintain another person if that other person is—

- (a) his or her spouse or civil partner, or
- (b) a person whom he or she would be liable to maintain if section 74(6)(c) and (8) had effect for the purposes of this Part.”.

(2) In that section, in subsection (4), for the words from “a person” to the end, substitute “ subsection (3)(b) shall not apply ”.

Changes to legislation:

Child Maintenance Act (Northern Ireland) 2008, Section 35 is up to date with all changes known to be in force on or before 16 August 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.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 35(2) repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- 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\(2\)](#)