



2008 CHAPTER 10

PART 3

GENERAL

Transition

40.—(1) The Department may, in relation to Article 9 or 43 of the Child Support Order, by regulations make provision for the Article to have effect with such modifications as the Department considers expedient in anticipation of the coming into operation of section 7.

(2) Articles 22(5A), 32A, 32E, 32F, 32J, 32L, 32M, 38C to 38E, 40A, 45A, 45B and 45D of the Child Support Order shall have effect as if “child support maintenance” included periodical payments required to be paid in accordance with a maintenance assessment under the Order.

(3) Articles 22(7A), 32A, 32C, 32E, 32F, 32J, 32L, 32M, 36B, 36G, 37, 37A and 45B of the Child Support Order shall have effect as if “maintenance calculation” included a maintenance assessment under the Order.

(4) Articles 35, 36B, 36G, 36J, 37, 37A and 45D of the Child Support Order shall have effect as if orders made under Article 33 of that Order had been made under Article 32M of that Order.

(5) An order may be made under Article 32M of the Child Support Order in respect of an amount even though the time within which an application could have been instituted under Article 33 of that Order for an order in respect of that amount has expired

(6) The Department may by regulations make in connection with the coming into operation of any provision of this Act such transitional provision or savings as the Department considers necessary or expedient.

Changes to legislation: *Child Maintenance Act (Northern Ireland) 2008, Section 40 is up to date with all changes known to be in force on or before 24 July 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

- II** S. 40 wholly in operation at 9.7.2008; s. 40(6) in operation at Royal Assent, see s. 41(1); s. 40(1)-(5) in operation at 9.7.2008 by S.R. 2008/291, **art. 2(5)**

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 40(3)(4) word repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 4](#)
- 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\(2\)](#)