

## SCHEDULES

### SCHEDULE 1

Article 13.

#### MAINTENANCE ASSESSMENTS

#### <sup>X1F1</sup>PART I

#### CALCULATION OF CHILD SUPPORT MAINTENANCE

##### Editorial Information

**X1** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

**F1** prosp. in pt. subst. 2000 c. 4 (NI)

##### *The maintenance requirement*

<sup>X2</sup>**1.**—(1) In this Schedule “the maintenance requirement” means the amount, calculated in accordance with the formula set out in sub-paragraph (2), which is to be taken as the minimum amount necessary for the maintenance of the qualifying child or, where there is more than one qualifying child, all of them.

(2) The formula is—

$$MR = AG - CB$$

where—

MR is the amount of the maintenance requirement;

AG is the aggregate of the amounts to be taken into account under sub-paragraph (3); and

CB is the amount payable by way of child benefit (or which would be so payable if the person with care of the qualifying child were an individual) or, where there is more than one qualifying child, the aggregate of the amounts so payable with respect to each of them.

(3) The amounts to be taken into account for the purpose of calculating AG are—

(a) such amount or amounts (if any), with respect to each qualifying child, as may be prescribed;

(b) such amount or amounts (if any), with respect to the person with care of the qualifying child or qualifying children, as may be prescribed; and

(c) such further amount or amounts (if any) as may be prescribed.

(4) For the purposes of calculating CB it shall be assumed that child benefit is payable with respect to any qualifying child at the basic rate.

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(5) In sub-paragraph (4) “basic rate” has the meaning for the time being prescribed.

#### Editorial Information

**X2** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

#### *The general rule*

<sup>x3</sup>2.—(1) In order to determine the amount of any maintenance assessment, first calculate—

$$(A + C) \times P$$

where—

A is the absent parent’s assessable income;

C is the assessable income of the other parent, where that parent is the person with care, and otherwise has such value (if any) as may be prescribed; and

P is such number greater than zero but less than 1 as may be prescribed.

(2) Where the result of the calculation made under sub-paragraph (1) is an amount which is equal to, or less than, the amount of the maintenance requirement for the qualifying child or qualifying children, the amount of maintenance payable by the absent parent for that child or those children shall be an amount equal to—

$$A \times P$$

where A and P have the same values as in the calculation made under sub-paragraph (1).

(3) Where the result of the calculation made under sub-paragraph (1) is an amount which exceeds the amount of the maintenance requirement for the qualifying child or qualifying children, the amount of maintenance payable by the absent parent for that child or those children shall consist of—

(a) a basic element calculated in accordance with the provisions of paragraph 3; and

(b) an additional element calculated in accordance with the provisions of paragraph 4.

#### Editorial Information

**X3** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

#### *The basic element*

<sup>x4</sup>3.—(1) The basic element shall be calculated by applying the formula—

$$BE = A \times G \times P$$

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where—

BE is the amount of the basic element;

A and P have the same values as in the calculation made under paragraph 2(1); and

G has the value determined under sub-paragraph (2).

(2) The value of G shall be determined by applying the formula—

$$G = \frac{MR}{(A + C) \times P}$$

where—

MR is the amount of the maintenance requirement for the qualifying child or qualifying children; and  
A, C and P have the same values as in the calculation made under paragraph 2(1).

#### Editorial Information

**X4** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

#### *The additional element*

<sup>x5</sup>**4.**—(1) Subject to sub-paragraph (2), the additional element shall be calculated by applying the formula—

$$AE = (1 - G) \times A \times R$$

where—

AE is the amount of the additional element;

A has the same value as in the calculation made under paragraph 2(1);

G has the value determined under paragraph 3(2); and

R is such number greater than zero but less than 1 as may be prescribed.

(2) Where applying the alternative formula set out in sub-paragraph (3) would result in a lower amount for the additional element, that formula shall be applied in place of the formula set out in sub-paragraph (1).

(3) The alternative formula is—

$$AE = Z \times Q \times \left( \frac{A}{A + C} \right)$$

Where—

A and C have the same values as in the calculation made under paragraph 2(1);

Z is such number as may be prescribed; and

Q is the aggregate of—

- (a) (3) (a) any amount taken into account by virtue of paragraph 1(3)(a) in calculating the maintenance requirement; and

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- (b) any amount which is both taken into account by virtue of paragraph 1(3)(c) in making that calculation and is an amount prescribed for the purposes of this paragraph.

#### Editorial Information

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#### Assessable income

<sup>x6</sup>**5.**—(1) The assessable income of an absent parent shall be calculated by applying the formula—

$$A = N - E$$

where—

A is the amount of that parent's assessable income;

N is the amount of that parent's net income, calculated or estimated in accordance with regulations made by the Department for the purposes of this sub-paragraph; and

E is the amount of that parent's exempt income, calculated or estimated in accordance with regulations made by the Department for those purposes.

(2) The assessable income of a parent who is a person with care of the qualifying child or children shall be calculated by applying the formula—

$$C = M - F$$

where—

C is the amount of that parent's assessable income;

M is the amount of that parent's net income, calculated or estimated in accordance with regulations made by the Department for the purposes of this sub-paragraph; and

F is the amount of that parent's exempt income, calculated or estimated in accordance with regulations made by the Department for those purposes.

(3) Where the preceding provisions of this paragraph would otherwise result in a person's assessable income being taken to be a negative amount his assessable income shall be taken to be nil.

(4) Where income support [<sup>F2</sup>, an income-based jobseeker's allowance] or any other benefit of a prescribed kind is paid to or in respect of a parent who is an absent parent or a person with care that parent shall, for the purposes of this Schedule, be taken to have no assessable income.

#### Editorial Information

**X6** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

**F2** 1995 NI 15

### *Protected income*

<sup>x7</sup>6.—(1) This paragraph applies where—

- (a) one or more maintenance assessments have been made with respect to an absent parent; and
- (b) payment by him of the amount, or the aggregate of the amounts, so assessed would otherwise reduce his disposable income below his protected income level.

(2) The amount of the assessment, or (as the case may be) of each assessment, shall be adjusted in accordance with such provisions as may be prescribed with a view to securing so far as is reasonably practicable that payment by the absent parent of the amount, or (as the case may be) aggregate of the amounts, so assessed will not reduce his disposable income below his protected income level.

(3) Regulations made under sub-paragraph (2) shall secure that, where the prescribed minimum amount fixed by regulations made under paragraph 7 applies, no maintenance assessment is adjusted so as to provide for the amount payable by an absent parent in accordance with that assessment to be less than that amount.

(4) The amount which is to be taken for the purposes of this paragraph as an absent parent's disposable income shall be calculated, or estimated, in accordance with regulations made by the Department.

(5) Regulations made under sub-paragraph (4) may, in particular, provide that, in such circumstances and to such extent as may be prescribed—

- (a) income of any child who is living in the same household with the absent parent; and

[<sup>F3</sup>(b) where the absent parent—

- (i) is living together in the same household with another adult of the opposite sex (regardless of whether or not they are married),
- (ii) is living together in the same household with another adult of the same sex who is his civil partner, or
- (iii) is living together in the same household with another adult of the same sex as if they were civil partners,

income of that other adult,]

is to be treated as the absent parent's income for the purposes of calculating his disposable income.

[<sup>F4</sup>(5A) For the purposes of this paragraph, two adults of the same sex are to be regarded as living together in the same household as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two adults of the opposite sex.]

(6) In this paragraph “the protected income level” of a particular absent parent means an amount of income calculated, by reference to the circumstances of that parent, in accordance with regulations made by the Department.

#### **Editorial Information**

**X7** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

**F3** 2004 c. 33

**F4** 2004 c. 33

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### *The minimum amount of child support maintenance*

<sup>x8</sup>7.—(1) The Department may prescribe a minimum amount for the purposes of this paragraph.

(2) Where the amount of child support maintenance which would be fixed by a maintenance assessment but for this paragraph is nil or less than the prescribed minimum amount, the amount to be fixed by the assessment shall be the prescribed minimum amount.

(3) In any case to which Article 40 applies, and in such other cases (if any) as may be prescribed, sub-paragraph (2) shall not apply.

#### **Editorial Information**

**X8** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

### *Housing costs*

<sup>x9</sup>8. Where regulations under this Schedule require [<sup>F5</sup>the Department] to take account of the housing costs of any person in calculating, or estimating, his assessable income or disposable income, those regulations may make provision—

- (a) as to the costs which are to be treated as housing costs for the purpose of the regulations;
- (b) for the apportion\*ment of housing costs; and
- (c) for the amount of housing costs to be taken into account for prescribed purposes not to exceed such amount (if any) as may be prescribed by, or determined in accordance with, the regulations.

#### **Editorial Information**

**X9** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

**F5** 1998 NI 10

### *Regulations about income and capital*

<sup>x10</sup>9. The Department may by regulations provide that, in such circumstances and to such extent as may be prescribed—

- (a) income of a child shall be treated as income of a parent of his;
- (b) where [<sup>F6</sup>the Department] is satisfied that a person has intentionally deprived himself of a source of income with a view to reducing the amount of his assessable income, his net income shall be taken to include income from that source of an amount estimated by [<sup>F6</sup>the Department];
- (c) a person is to be treated as possessing capital or income which he does not possess;
- (d) capital or income which a person does possess is to be disregarded;
- (e) income is to be treated as capital;

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(f) capital is to be treated as income.

#### Editorial Information

- X10** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F6** 1998 NI 10

#### References to qualifying children

<sup>X11</sup>**10.** References in this Part to “qualifying children” are to those qualifying children with respect to whom the maintenance assessment fails to be made.<sup>F7</sup>

#### Editorial Information

- X11** This version shows the text of Sch. 1 Pt. 1 prior to its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F7** subst. by [2004 c. 33](#) to para.10C(5) which is awaiting insertion by [2000 c.4\(NI\)](#) when prosp. is removed

## [<sup>F8X12</sup> PART I

### CALCULATION OF WEEKLY AMOUNT OF CHILD SUPPORT MAINTENANCE]

#### Editorial Information

- X12** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F8** [Sch. 1 Pt. I](#) substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

#### [<sup>F9</sup>General rule]

- F9** [Sch. 1 Pt. I](#) substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

[<sup>F10X13</sup>**1.—(1)** The weekly rate of child support maintenance is the basic rate unless a reduced rate, a flat rate or the nil rate applies.

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- (2) Unless the nil rate applies, the amount payable weekly to a person with care is—
- (a) the applicable rate, if paragraph 6 does not apply; or
  - (b) if paragraph 6 does apply, that rate as apportioned between the persons with care in accordance with paragraph 6,
- as adjusted, in either case, by applying the rules about shared care in paragraph 7 or 8.]

#### Editorial Information

- X13** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**
- F10** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

[<sup>F11</sup>Basic rate]

- F11** **Sch. 1 Pt. I** substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2003/53, art. 3(1), **Sch.**

[<sup>F12X14</sup>2.—(1) The basic rate is the following percentage of the non-resident parent's net weekly income—

- 15 per cent. where he has one qualifying child;
- 20 per cent. where he has two qualifying children;
- 25 per cent. where he has three or more qualifying children.

(2) If the non-resident parent also has one or more relevant other children, the appropriate percentage referred to in sub-paragraph (1) is to be applied instead to his net weekly income less—

- 15 per cent. where he has one relevant other child;
- 20 per cent. where he has two relevant other children;
- 25 per cent. where he has three or more relevant other children.]

#### Editorial Information

- X14** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**
- F12** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**



*[<sup>F13</sup>Reduced rate]*

**F13** Sch. 1 Pt. I substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2003/53, art. 3\(1\), Sch.](#)

<sup>F14X15</sup>**3.**—(1) A reduced rate is payable if—

- (a) neither a flat rate nor the nil rate applies; and
  - (b) the non-resident parent's net weekly income is less than £200 but more than £100.
- (2) The reduced rate payable shall be prescribed in, or determined in accordance with, regulations.
- (3) The regulations may not prescribe, or result in, a rate of less than £5.]

**Editorial Information**

**X15** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

**F14** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

*[<sup>F15</sup>Flat rate]*

**F15** Sch. 1 Pt. I substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2003/53, art. 3\(1\), Sch.](#)

<sup>F16X16</sup>**4.**—(1) Except in a case falling within sub-paragraph (2), a flat rate of £5 is payable if the nil rate does not apply and—

- (a) the non-resident parent's net weekly income is £100 or less; or
  - (b) he receives any benefit, pension or allowance prescribed for the purposes of this head; or
  - (c) he or his partner (if any) receives any benefit prescribed for the purposes of this head.
- (2) A flat rate of a prescribed amount is payable if the nil rate does not apply and—
- (a) the non-resident parent has a partner who is also a non-resident parent;
  - (b) the partner is a person with respect to whom a maintenance calculation is in force; and
  - (c) the non-resident parent or his partner receives any benefit prescribed under sub-paragraph (1)(c).

(3) The benefits, pensions and allowances which may be prescribed for the purposes of sub-paragraph (1)(b) include those paid to the non-resident parent under the law of a place outside the United Kingdom.]

**Editorial Information**

**X16** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security](#)

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Act (Northern Ireland) 2000 (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

- F16** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

*[<sup>F17</sup>Nil rate]*

- F17** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

<sup>F18X17</sup>**5.** The rate payable is nil if the non-resident parent—

- (a) is of a prescribed description; or
- (b) has a net weekly income of below £5.]

**Editorial Information**

- X17** This version shows the text of **Sch. 1 Pt. 1** after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**
- F18** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

*[<sup>F19</sup>Apportionment]*

- F19** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

<sup>F20X18</sup>**6.**—(1) If the non-resident parent has more than one qualifying child and in relation to them there is more than one person with care, the amount of child support maintenance payable is (subject to paragraph 7 or 8) to be determined by apportioning the rate between the persons with care.

(2) The rate of maintenance liability is to be divided by the number of qualifying children, and shared among the persons with care according to the number of qualifying children in relation to whom each is a person with care.]

**Editorial Information**

- X18** This version shows the text of **Sch. 1 Pt. 1** after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

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**F20** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

*[<sup>F21</sup>Shared care - basic and reduced rate]*

**F21** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

<sup>F22X19</sup>7.—(1) This paragraph applies only if the rate of child support maintenance payable is the basic rate or a reduced rate.

(2) If the care of a qualifying child is shared between the non-resident parent and the person with care, so that the non-resident parent from time to time has care of the child overnight, the amount of child support maintenance which he would otherwise have been liable to pay the person with care, as calculated in accordance with the preceding paragraphs, is to be decreased in accordance with this paragraph.

(3) First, there is to be a decrease according to the number of such nights which the Department determines there to have been, or expects there to be, or both during a prescribed twelve-month period.

(4) The amount of that decrease for one child is set out in the following Table—

Number of nights	Fraction to subtract
52 to 103	One-seventh
104 to 155	Two-sevenths
156 to 174	Three-sevenths
175 or more	One-half

(5) If the person with care is caring for more than one qualifying child of the non-resident parent, the applicable decrease is the sum of the appropriate fractions in the Table divided by the number of such qualifying children.

(6) If the applicable fraction is one-half in relation to any qualifying child in the care of the person with care, the total amount payable to the person with care is then to be further decreased by £7 for each such child.

(7) If the application of the preceding provisions of this paragraph would decrease the weekly amount of child support maintenance (or the aggregate of all such amounts) payable by the non-resident parent to the person with care (or all of them) to less than £5, he is instead liable to pay child support maintenance at the rate of £5 a week, apportioned (if appropriate) in accordance with paragraph 6.]

#### Editorial Information

**X19** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\)](#), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

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**F22** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

*[<sup>F23</sup>Shared care - flat rate]*

**F23** Sch. 1 Pt. I substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2003/53, art. 3\(1\), Sch.](#)

<sup>F24X20</sup>8.—(1) This paragraph applies only if—

- (a) the rate of child support maintenance payable is a flat rate; and
- (b) that rate applies because the non-resident parent falls within paragraph 4(1)(b) or (c) or 4(2).

(2) If the care of a qualifying child is shared as mentioned in paragraph 7(2) for at least 52 nights during a prescribed twelve-month period, the amount of child support maintenance payable by the non-resident parent to the person with care of that child is nil.]

**Editorial Information**

**X20** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

**F24** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2000/358, art. 2\(b\), Sch. Pt. II; S.R. 2003/53, art. 3\(1\), Sch.](#)

*[<sup>F25</sup>Regulations about shared care]*

**F25** Sch. 1 Pt. I substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(3\), 68\(2\), Sch. 1; S.R. 2003/53, art. 3\(1\), Sch.](#)

<sup>F26X21</sup>9. The Department may by regulations provide for—

- (a) which nights are to count for the purposes of shared care under paragraphs 7 and 8, or for how it shall be determined whether a night counts;
- (b) what counts, or does not count, as “care” for those purposes; and
- (c) paragraph 7(3) or 8(2) to have effect, in prescribed circumstances, as if the period mentioned there were other than twelve months, and in such circumstances for the Table in paragraph 7(4) (or that Table as modified pursuant to regulations made under paragraph 10A(2)(a)), or the period mentioned in paragraph 8(2), to have effect with prescribed adjustments.]

**Editorial Information**

**X21** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security](#)

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Act (Northern Ireland) 2000 (c. 4), ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

- F26** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by **Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)**, ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

*[<sup>F27</sup>Net weekly income]*

- F27** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by **Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)**, ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

<sup>F28X22</sup>**10.**—(1) For the purposes of this Schedule, net weekly income shall be determined in such manner as is provided for by regulations.

(2) The regulations may, in particular, provide for the Department to estimate any income or make an assumption as to any fact where, in the Department's view, the information at its disposal is unreliable, insufficient or relates to an atypical period in the life of the non-resident parent.

(3) Any amount of net weekly income (calculated as above) over £2,000 is to be ignored for the purposes of this Schedule.]

#### Editorial Information

**X22** This version shows the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by **Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)**, ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

**F28** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by **Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)**, ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

*[<sup>F29</sup>Regulations about rates, figures, etc.]*

- F29** **Sch. 1 Pt. I** substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by **Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4)**, ss. 1(3), 68(2), **Sch. 1**; S.R. 2000/358, art. 2(b), **Sch. Pt. II**; S.R. 2003/53, art. 3(1), **Sch.**

<sup>F30X23</sup>**10A.**—(1) The Department may by regulations provide that—

- (a) paragraph 2 is to have effect as if different percentages were substituted for those set out there;
- (b) paragraph 3(1) or (3), 4(1), 5, 7(7) or 10(3) is to have effect as if different amounts were substituted for those set out there.

(2) The Department may by regulations provide that—

- (a) the Table in paragraph 7(4) is to have effect as if different numbers of nights were set out in the first column and different fractions were substituted for those set out in the second column;

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- (b) paragraph 7(6) is to have effect as if a different amount were substituted for that set out there, or as if the amount were an aggregate amount and not an amount for each qualifying child, or both.]

#### Editorial Information

- X23** Sch. 1 Pt. 1 para. 10A forms part of the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)
- F30** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

#### *[<sup>F31</sup>Regulations about income]*

- F31** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

[<sup>F32X24</sup>**10B.** The Department may by regulations provide that, in such circumstances and to such extent as may be prescribed—

- (a) where the Department is satisfied that a person has intentionally deprived himself of a source of income with a view to reducing the amount of his net weekly income, his net weekly income shall be taken to include income from that source of an amount estimated by the Department;
- (b) a person is to be treated as possessing income which he does not possess;
- (c) income which a person does possess is to be disregarded.]

#### Editorial Information

- X24** Sch. 1 Pt. 1 para. 10B forms part of the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)
- F32** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2000/358, art. 2(b), [Sch. Pt. II](#); S.R. 2003/53, art. 3(1), [Sch.](#)

#### *[<sup>F33</sup>References to various terms]*

- F33** Sch. 1 Pt. I substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000](#) (c. 4), ss. 1(3), 68(2), [Sch. 1](#); S.R. 2003/53, art. 3(1), [Sch.](#)

[<sup>F34X25</sup>**10C.**—(1) References in this Part to “qualifying children” are to those qualifying children with respect to whom the maintenance calculation falls to be made.

(2) References in this Part to “relevant other children” are to—

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- (a) children other than qualifying children in respect of whom the non-resident parent or his partner receives child benefit under Part IX of the Social Security Contributions and Benefits (Northern Ireland) Act 1992; and
  - (b) such other description of children as may be prescribed.
- (3) In this Part, a person “receives” a benefit, pension or allowance for any week if it is paid or due to be paid to him in respect of that week.
- (4) In this Part, a person’s “partner” is—
- (a) if they are a couple, the other member of that couple;
  - (b) if the person is a husband or wife by virtue of a marriage entered into under a law which permits polygamy, another party to the marriage who is of the opposite sex and is a member of the same household.
- [<sup>F35</sup>(5) In sub-paragraph (4)(a), “couple” means—
- (a) a man and a woman who are married to each other and are members of the same household,
  - (b) a man and a woman who are not married to each other but are living together as husband and wife,
  - (c) two people of the same sex who are civil partners of each other and are members of the same household, or
  - (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.
- (6) For the purposes of this paragraph, two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.]]

#### Editorial Information

- X25** Sch. 1 Pt. 1 para. 10C forms part of the text of Sch. 1 Pt. 1 after its substitution (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(3), 68(2), Sch. 1; S.R. 2000/358, art. 2(b), Sch. Pt. II; S.R. 2003/53, art. 3(1), Sch.
- F34** Sch. 1 Pt. I substituted (22.11.2000 for certain purposes and 3.3.2003 for further certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(3), 68(2), Sch. 1; S.R. 2000/358, art. 2(b), Sch. Pt. II; S.R. 2003/53, art. 3(1), Sch.
- F35** Sch. 1 para 10C(5)(6) substituted (5.12.2005) for para. 10C(5) by Civil Partnership Act 2004 (c. 33), ss. 254(1), 263(8)(d), Sch. 24 para. 12; S.I. 2005/3255, art. 2(1), Sch.

## PART II

### GENERAL PROVISIONS ABOUT MAINTENANCE

#### [<sup>F36</sup>ASSESSMENTS] [<sup>F37</sup>CALCULATIONS]

- F36** Word in Sch. 1 Pt. II heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F37** Word in Sch. 1 Pt. II heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.



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*Effective date of [F38assessment] [F39calculation]*

- F38** Word in Sch. 1 para. 11 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)
- F39** Word in Sch. 1 para. 11 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)

**11.—(1)** A [F40maintenance assessment] [F41maintenance calculation] shall take effect on such date as may be determined in accordance with regulations made by the Department.

(2) That date may be earlier than the date on which the [F42assessment] [F43calculation] is made.

- F40** Words in Sch. 1 para. 11(1) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)
- F41** Words in Sch. 1 para. 11(1) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)
- F42** Word in Sch. 1 para. 11(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)
- F43** Word in Sch. 1 para. 11(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)

*Form of [F44assessment] [F45calculation]*

- F44** Word in Sch. 1 para. 12 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)
- F45** Word in Sch. 1 para. 12 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)

**12.** Every [F46maintenance assessment] [F47maintenance calculation] shall be made in such form and contain such information as the Department may direct.

- F46** Words in Sch. 1 para. 12 substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)
- F47** Words in Sch. 1 para. 12 substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\)](#), 68(2); S.R. 2003/53, art. 3(1), [Sch.](#)



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*[<sup>F48</sup>Assessments] [<sup>F49</sup>Calculations] where amount of child support is nil*

- F48** Word in Sch. 1 para. 13 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F49** Word in Sch. 1 para. 13 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.

### 13

[<sup>F50</sup>[<sup>F51</sup>The Department]] shall not decline to make a [<sup>F52</sup>maintenance assessment] [<sup>F53</sup>maintenance calculation] only on the ground that the amount of the [<sup>F54</sup>assessment] [<sup>F55</sup>calculation] is nil.]

- F50** Sch. 1 para. 13 repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(a), Sch. 9 Pt. I; S.R. 2003/53, art. 3(1), Sch.
- F51** 1998 NI 10
- F52** Words in Sch. 1 para. 13 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(a), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F53** Words in Sch. 1 para. 13 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(a), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F54** Word in Sch. 1 para. 13 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F55** Word in Sch. 1 para. 13 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.

*Consolidated applications and [<sup>F56</sup>assessments] [<sup>F57</sup>calculations]*

- F56** Word in Sch. 1 para. 14 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F57** Word in Sch. 1 para. 14 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.

### 14. <sup>F58</sup>The Department may by regulations provide—

- (a) for two or more applications for maintenance assessments to be treated, in prescribed circumstances, as a single application; and
- (b) for the replacement, in prescribed circumstances, of a maintenance assessment made on the application of one person by a later maintenance assessment made on the application of that or any other person.

- F58** prosp. in pt. added by 2000 c.4 (NI)

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*Separate [<sup>F59</sup>assessments] [<sup>F60</sup>calculations] for different periods*

- F59** Word in Sch. 1 para. 15 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F60** Word in Sch. 1 para. 15 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.

15. Where<sup>F61</sup> the Department] is satisfied that the circumstances of a case require different amounts of child support maintenance to be [<sup>F62</sup>assessed] [<sup>F63</sup>calculated] in respect of different periods,<sup>F61</sup> it] may make separate maintenance [<sup>F64</sup>assessments] [<sup>F65</sup>calculations] each expressed to have effect in relation to a different specified period.

- F61** 1998 NI 10
- F62** Word in Sch. 1 para. 15 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F63** Word in Sch. 1 para. 15 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F64** Word in Sch. 1 para. 15 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F65** Word in Sch. 1 para. 15 substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.

*Termination of [<sup>F66</sup>assessments] [<sup>F67</sup>calculations]*

- F66** Word in Sch. 1 para. 16 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.
- F67** Word in Sch. 1 para. 16 heading substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 1(2)(b), 68(2); S.R. 2003/53, art. 3(1), Sch.

- 16.—(1) A<sup>F68</sup> maintenance assessment] [<sup>F69</sup> maintenance calculation] shall cease to have effect—
- (a) on the death of the [<sup>F70</sup> absent parent] [<sup>F71</sup> non-resident parent], or of the person with care, with respect to whom it was made;
  - (b) on there no longer being any qualifying child with respect to whom it would have effect;
  - (c) on the [<sup>F72</sup> absent parent] [<sup>F73</sup> non-resident parent] with respect to whom it was made ceasing to be a parent of—
    - (i) the qualifying child with respect to whom it was made; or
    - (ii) where it was made with respect to more than one qualifying child, all of the qualifying children with respect to whom it was made;

- (d) [F74]where the [F75]absent parent [F76]non-resident parent and the person with care with respect to whom it was made have been living together for a continuous period of six months;]
- (e) [F77]where a new [F78]maintenance assessment [F79]maintenance calculation is made with respect to any qualifying child with respect to whom the [F80]assessment [F81]calculation in question was in force immediately before the making of the new [F82]assessment [F83]calculation].]

[F84](2) [F85]A [F86]maintenance assessment [F87]maintenance calculation made in response to an application under Article 7 shall be cancelled by the Department if the person on whose application the [F88]assessment [F89]calculation was made asks the Department to do so.]

(3) [F90]A [F91]maintenance assessment [F92]maintenance calculation made in response to an application under Article 9 shall be cancelled by the Department if—

- (a) the person on whose application the [F93]assessment [F94]calculation was made ( “the applicant”) asks it to do so; and
- (b) the Department is satisfied that the applicant has ceased to fall within paragraph (1) of that Article.]

(4) [F95]Where the Department is satisfied that the person with care with respect to whom a [F96]maintenance assessment [F97]maintenance calculation was made has ceased to be a person with care in relation to the qualifying child, or any of the qualifying children, with respect to whom the [F98]assessment [F99]calculation was made, the Department may cancel the [F100]assessment [F101]calculation with effect from the date on which, in its opinion, the change of circumstances took place.]

(5) [F102]A [F103]maintenance assessment [F104]maintenance calculation may be cancelled by the Department if it is proposing to make a decision under Article 18 or 19 and it appears to the Department—

- (a) that the person with care with respect to whom the [F105]maintenance assessment [F106]maintenance calculation in question was made has failed to provide the Department with sufficient information to enable it to make the decision; and
- (b) where the [F107]maintenance assessment [F108]maintenance calculation in question was made in response to an application under Article 9, that the person with care with respect to whom the [F109]assessment [F110]calculation was made has ceased to fall within paragraph (1) of that Article.]

(6) [F111]Where—

- (a) at any time a [F112]maintenance assessment [F113]maintenance calculation is in force but the Department would no longer have jurisdiction to make it if it were to be applied for at that time; and
- (b) the [F114]assessment [F115]calculation has not been cancelled, or has not ceased to have effect under any other provision made by or under this Order,

it shall be taken to have continuing effect unless cancelled by the Department in accordance with such prescribed provision (including provision as to the effective date of cancellation) as the Department considers it appropriate to make.]

(7) [F116]Where both the [F117]absent parent [F118]non-resident parent and the person with care with respect to whom a [F119]maintenance assessment [F120]maintenance calculation was made request the Department to cancel the [F121]assessment [F122]calculation], the Department may do so if it is satisfied that they are living together.]

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(8) [<sup>F123</sup>Any cancellation of a [<sup>F124</sup>maintenance assessment] [<sup>F125</sup>maintenance calculation] under sub-paragraph (5), (6) or (7) shall have effect from such date as may be determined by the Department.]

(9) [<sup>F126</sup>Where the Department cancels a [<sup>F127</sup>maintenance assessment] [<sup>F128</sup>maintenance calculation] , it shall immediately notify the [<sup>F129</sup>absent parent] [<sup>F130</sup>non-resident parent] and person with care, so far as that is reasonably practicable.]

(10) [<sup>F131</sup>Any notice under sub-paragraph (9) shall specify the date with effect from which the cancellation took effect.]

(11) A person with care with respect to whom a [<sup>F132</sup>maintenance assessment] [<sup>F133</sup>maintenance calculation] is in force shall provide the Department with such information, in such circumstances, as may be prescribed, with a view to assisting the Department in determining whether the [<sup>F134</sup>assessment] [<sup>F135</sup>calculation] has ceased to have effect[<sup>F136</sup>, or should be cancelled].

(12) The Department may by regulations make such supplemental, incidental or transitional provision as it thinks necessary or expedient in consequence of the provisions of this paragraph.]

- F68** Words in [Sch. 1 para. 16\(1\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F69** Words in [Sch. 1 para. 16\(1\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F70** Words in [Sch. 1 para. 16\(1\)\(a\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 11; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F71** Words in [Sch. 1 para. 16\(1\)\(a\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 11; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F72** Words in [Sch. 1 para. 16\(1\)\(c\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 11; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F73** Words in [Sch. 1 para. 16\(1\)\(c\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 11; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F74** [Sch. 1 para. 16\(1\)\(d\)](#) repealed (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 67, 68\(2\), Sch. 3 para. 28\(c\)\(i\), Sch. 9 Pt. I; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F75** Words in [Sch. 1 para. 16\(1\)\(d\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 11; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F76** Words in [Sch. 1 para. 16\(1\)\(d\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 68\(2\), Sch. 3 para. 11; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F77** [Sch. 1 para. 16\(1\)\(e\)](#) repealed (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 67, 68\(2\), Sch. 3 para. 28\(c\)\(i\), Sch. 9 Pt. I; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F78** Words in [Sch. 1 para. 16\(1\)\(e\)](#) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)

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- F79** Words in Sch. 1 para. 16(1)(e) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F80** Word in Sch. 1 para. 16(1)(e) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F81** Word in Sch. 1 para. 16(1)(e) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F82** Word in Sch. 1 para. 16(1)(e) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F83** Word in Sch. 1 para. 16(1)(e) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F84** 1998 NI 10
- F85** Sch. 1 para. 16(2) repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(c)(ii), **Sch. 9 Pt. I**; S.R. 2003/53, art. 3(1), **Sch.**
- F86** Words in Sch. 1 para. 16(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F87** Words in Sch. 1 para. 16(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F88** Word in Sch. 1 para. 16(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F89** Word in Sch. 1 para. 16(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F90** Sch. 1 para. 16(3) repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(c)(ii), **Sch. 9 Pt. I**; S.R. 2003/53, art. 3(1), **Sch.**
- F91** Words in Sch. 1 para. 16(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F92** Words in Sch. 1 para. 16(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F93** Word in Sch. 1 para. 16(3)(a) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F94** Word in Sch. 1 para. 16(3)(a) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F95** Sch. 1 para. 16(4) repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(c)(ii), **Sch. 9 Pt. I**; S.R. 2003/53, art. 3(1), **Sch.**
- F96** Words in Sch. 1 para. 16(4) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**

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- F97** Words in Sch. 1 para. 16(4) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F98** Word in Sch. 1 para. 16(4) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F99** Word in Sch. 1 para. 16(4) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F100** Word in Sch. 1 para. 16(4) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F101** Word in Sch. 1 para. 16(4) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F102** Sch. 1 para. 16(5) repealed (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 67, 68\(2\), Sch. 3 para. 28\(c\)\(ii\), Sch. 9 Pt. I; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F103** Words in Sch. 1 para. 16(5) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F104** Words in Sch. 1 para. 16(5) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F105** Words in Sch. 1 para. 16(5)(a) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F106** Words in Sch. 1 para. 16(5)(a) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F107** Words in Sch. 1 para. 16(5)(b) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F108** Words in Sch. 1 para. 16(5)(b) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F109** Word in Sch. 1 para. 16(5)(b) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F110** Word in Sch. 1 para. 16(5)(b) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F111** Sch. 1 para. 16(6) repealed (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 67, 68\(2\), Sch. 3 para. 28\(c\)\(ii\), Sch. 9 Pt. I; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F112** Words in Sch. 1 para. 16(6)(a) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F113** Words in Sch. 1 para. 16(6)(a) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)



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- F114** Word in Sch. 1 para. 16(6)(b) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F115** Word in Sch. 1 para. 16(6)(b) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F116** Sch. 1 para. 16(7) repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(c)(ii), **Sch. 9 Pt. I**; S.R. 2003/53, art. 3(1), **Sch.**
- F117** Words in Sch. 1 para. 16(7) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F118** Words in Sch. 1 para. 16(7) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F119** Words in Sch. 1 para. 16(7) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F120** Words in Sch. 1 para. 16(7) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F121** Word in Sch. 1 para. 16(7) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F122** Word in Sch. 1 para. 16(7) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F123** Sch. 1 para. 16(8) repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(c)(ii), **Sch. 9 Pt. I**; S.R. 2003/53, art. 3(1), **Sch.**
- F124** Words in Sch. 1 para. 16(8) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F125** Words in Sch. 1 para. 16(8) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F126** Sch. 1 para. 16(9) repealed (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 67, 68(2), Sch. 3 para. 28(c)(ii), **Sch. 9 Pt. I**; S.R. 2003/53, art. 3(1), **Sch.**
- F127** Words in Sch. 1 para. 16(9) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F128** Words in Sch. 1 para. 16(9) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. **1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F129** Words in Sch. 1 para. 16(9) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F130** Words in Sch. 1 para. 16(9) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**

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- F131** Sch. 1 para. 16(10) repealed (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 67, 68\(2\), Sch. 3 para. 28\(c\)\(ii\), Sch. 9 Pt. I; S.R. 2003/53, art. 3\(1\), Sch.](#)
- F132** Words in Sch. 1 para. 16(11) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F133** Words in Sch. 1 para. 16(11) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(a\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F134** Word in Sch. 1 para. 16(11) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F135** Word in Sch. 1 para. 16(11) substituted (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 1\(2\)\(b\), 68\(2\); S.R. 2003/53, art. 3\(1\), Sch.](#)
- F136** Words in Sch. 1 para. 16(11) repealed (3.3.2003 for certain purposes otherwise prosp.) by [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\), ss. 25, 67, 68\(2\), Sch. 3 para. 28\(c\)\(iii\), Sch. 9 Pt. I; S.R. 2003/53, art. 3\(1\), Sch.](#)



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### Changes and effects yet to be applied to :

- Sch. 1 para. 2(3) modified by [S.R. 2012/428 reg. 2](#)
- Sch. 1 para. 16(3) repealed by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(29\)\(b\)](#)
- Sch. 1 para. 16(5)(b) repealed by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(29\)\(b\)](#)
- Sch. 1 para. 2 substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 3](#)
- Sch. 1 para. 7(1) substituted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(25\)](#)
- Sch. 1 para. 10(2) substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 9](#)
- Sch. 1 para. 14 substituted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(28\)](#)
- Sch. 1 para. 10A(1)(b) word inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(26\)\(a\)](#)
- Sch. 1 para. 10A(1)(b) word inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(26\)\(b\)](#)
- Sch. 1 para. 3(3) word substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 4\(a\)](#)
- Sch. 1 para. 4(1) word substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 4\(b\)](#)
- Sch. 1 para. 5(b) word substituted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(24\)](#)
- Sch. 1 para. 7(7) word substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 4\(c\)](#)
- Sch. 1 para. 10(3) word substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 10](#)
- Sch. 1 para. 1(1) words inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 5\(1\)](#)
- Sch. 1 para. 10C(1) words inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(27\)](#)
- Sch. 1 para. 5(4) words inserted by [S.I. 2015/2006 \(N.I.\) Sch. 2 para. 2](#)
- Sch. 1 para. 9(a) words repealed by [2008 c. 10 \(N.I.\) Sch. 5](#)
- Sch. 1 para. 5(4) words repealed by [2010 c. 13 \(N.I.\) Sch. 4 Pt. 1](#)
- Sch. 1 para. 5(4) words repealed by [S.I. 2015/2006 \(N.I.\) Sch. 12 Pt. 1](#)
- Sch. 1 para. 7(2) words substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 6](#)
- Sch. 1 para. 8(2) words substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 7](#)

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

- Order applied by [S.R. 2014/191 reg. 7\(1\)](#)
- Order applied in part (with modifications) by [S.R. 2010/312 reg. 16](#)[Sch. 2](#)
- Order power to apply (with modifications) conferred by [2008 c. 10 \(N.I.\) s. 3\(4\)](#)
- Order transfer of functions by [S.I. 2010/976 Sch. 17 para. 42](#)
- Order words substituted by [2009 c. 1 \(N.I.\) Sch. 6 para. 1\(1\)\(a\)](#)
- Order words substituted by [2009 c. 1 \(N.I.\) Sch. 6 para. 1\(1\)\(b\)](#)

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

- Sch. 1 para. 9(1) Sch. 1 para. 9 renumbered as Sch. 1 para. 9(1) by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(1\)](#)
- Sch. 1 para. 9(2) added by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(4\)](#)
- Sch. 1 para. 5A and cross-heading inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 5\(2\)](#)
- Sch. 1 para. 9(1)(ba) inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(3\)](#)
- Sch. 1 para. 9(1)(za) inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(2\)](#)
- Sch. 1 para. 5A(2) modified by [S.R. 2012/428 reg. 3](#)
- Sch. 1 para. 5A(2) modified by [S.R. 2013/190 reg. 2](#)
- Sch. 1 Pt. 1 words substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 2](#)
- Sch. 1 Pt. 1 para. 10C(5A) omitted by [S.I. 2019/1514 reg. 64\(5\)\(b\)](#)
- Sch. 1 Pt. 1 para. 10C(5) substituted for Sch. 1 Pt. 1 para. 10C(5)(6) by [S.I. 2019/1514 reg. 64\(4\)](#)
- Sch. 1 Pt. 1 para. 6(5)(b)(i)(ii) substituted for Sch. 1 Pt. 1 para. 6(5)(b)(i)-(iii) by [S.I. 2019/1514 reg. 64\(5\)\(a\)](#)
- Sch. 1 Pt. 1 para. 5(4) words inserted by [2007 c. 2 \(N.I.\) Sch. 3 para. 2\(8\)](#)

- art. 2(3) added by 2008 c. 10 (N.I.) Sch. 4 para. 1(3)
- art. 4(4)(ba) inserted by 2022 c. 18 (N.I.) Sch. 3 para. 16
- art. 7(2A) inserted by S.I. 2015/2006 (N.I.) art. 127(2)(b)
- art. 7(3A)-(3C) inserted by 2023 c. 24 s. 4(2)(a)
- art. 7(4)(d) and word inserted by 2023 c. 24 s. 4(2)(b)(ii)
- art. 11(2A) inserted by S.I. 2015/2006 (N.I.) art. 126(1)
- art. 11(6)(a)(b) and word repealed by 2008 c. 10 (N.I.) Sch. 5
- art. 11A inserted by S.I. 2015/2006 (N.I.) art. 128
- art. 16A(3A) inserted by 2008 c. 10 (N.I.) s. 27(1)
- art. 16A(3A) substituted by 2010 c. 13 (N.I.) s. 32(2)
- art. 16A(6) added by 2010 c. 13 (N.I.) s. 32(3)
- art. 19(1)(c) repealed by 2008 c. 10 (N.I.) Sch. 5
- art. 22(1)(ba) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(5)
- art. 22(2)(aa) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(6)
- art. 22(2A)-(2C) inserted by S.I. 2015/2006 (N.I.) Sch. 11 para. 2
- art. 22(3A)-(3C) inserted by S.I. 2015/2006 (N.I.) Sch. 11 para. 3
- art. 22(5A) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(7)
- art. 22(7A) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(8)
- art. 27(2)(b) words substituted by S.I. 2019/1514 reg. 64(2)
- art. 27(2)(b) words substituted by S.I. 2019/1514 reg. 64(2)
- art. 28D(2A)(2B) inserted by 2008 c. 10 (N.I.) s. 10(2)
- art. 28F(4)(a) words repealed by 2008 c. 10 (N.I.) Sch. 5
- art. 29(3)(c)(ca) substituted for art. 29(3)(c) by 2010 c. 13 (N.I.) s. 31(2)
- art. 29(3A) inserted by 2010 c. 13 (N.I.) s. 31(3)
- art. 29(4)-(7) added by 2008 c. 10 (N.I.) s. 12
- art. 29(4)-(7) excluded by S.R. 2016/390 reg. 6(1)
- art. 31(8)(9) substituted for art. 31(8) by 2008 c. 10 (N.I.) s. 13
- art. 32A-32D inserted by 2008 c. 10 (N.I.) s. 14
- art. 32E-32K inserted by 2008 c. 10 (N.I.) s. 15
- art. 32G(1) restricted by SR 1992/390 reg. 25N (as inserted) by S.R. 2009/286 reg. 2
- art. 32H(2)(b) restricted by SR 1992/390 reg. 25N (as inserted) by S.R. 2009/286 reg. 2
- art. 32L inserted by 2008 c. 10 (N.I.) s. 16
- art. 32L(5) words inserted by S.I. 2019/1514 reg. 64(3)
- art. 32M32N inserted by 2008 c. 10 (N.I.) s. 17
- art. 36B-36F inserted by 2008 c. 10 (N.I.) s. 18
- art. 36G-36O inserted by 2008 c. 10 (N.I.) s. 19
- art. 37(2A)-(2C) inserted by 2008 c. 10 (N.I.) s. 20(1)
- art. 37(10)-(10C) substituted for art. 37(10) by 2008 c. 10 (N.I.) s. 20(2)
- art. 37(12) added by 2008 c. 10 (N.I.) Sch. 4 para. 1(14)
- art. 37A(A1)-(A4)(1) substituted for art. 37A(1) by 2008 c. 10 (N.I.) s. 21(1)
- art. 37A(10)-(10C) substituted for art. 37A(10) by 2008 c. 10 (N.I.) s. 21(2)
- art. 37A(12) added by 2008 c. 10 (N.I.) Sch. 4 para. 1(17)
- art. 38A(5)(c)(d) repealed by 2008 c. 10 (N.I.) Sch. 4 para. 1(29)(a)
- art. 38C inserted by 2008 c. 10 (N.I.) s. 22
- art. 38D inserted by 2008 c. 10 (N.I.) s. 23
- art. 38E inserted by 2008 c. 10 (N.I.) s. 24
- art. 39(2)(g) added by 2008 c. 10 (N.I.) s. 28
- art. 40A inserted by 2008 c. 10 (N.I.) s. 29
- art. 41(4)(5) inserted by S.I. 2011/1484 Sch. 7 para. 22
- art. 41(4) omitted by S.I. 2019/519 Sch. para. 20(a)
- art. 41(5) omitted by S.I. 2019/519 Sch. para. 20(b)
- art. 45A inserted by 2008 c. 10 (N.I.) s. 25
- art. 45B45C inserted by 2008 c. 10 (N.I.) s. 30
- art. 45D inserted by 2008 c. 10 (N.I.) s. 31
- art. 46(1A)-(1C) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(19)
- art. 47A inserted by 2008 c. 10 (N.I.) s. 32
- art. 47A(6) inserted by S.I. 2015/2006 (N.I.) Sch. 11 para. 4

– art. 48(2B) inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(22\)](#)