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STATUTORY RULES OF NORTHERN IRELAND

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**1996 No. 541**

**The Child Support Departure Direction and Consequential  
Amendments Regulations (Northern Ireland) 1996**

**Part IV**

**Property or Capital Transfers**

**Value of a transfer of property and its equivalent weekly value for a case falling within paragraph 3 of Schedule 4B to the Order**

**22.**—(1) Where the conditions specified in paragraph 3(1) of Schedule 4B to the Order are satisfied, the value of a transfer of property for the purposes of that paragraph shall be that part of the transfer made by the absent parent (making allowance for any transfer by the person with care to the absent parent) which the Department is satisfied is in lieu of maintenance.

(2) The Department shall, in determining the value of a transfer of property in accordance with paragraph (1), assume that, unless evidence to the contrary is provided to it—

- (a) the person with care and the absent parent had equal beneficial interests in the assets in relation to which the court order or agreement was made;
- (b) where the person with care was married to the absent parent, one half of the value of the transfer was a transfer for the benefit of the person with care; and
- (c) where the person with care has never been married to the absent parent, none of the value of the transfer was a transfer for the benefit of the person with care.

(3) The equivalent weekly value of a transfer of property shall be determined in accordance with the provisions of the Schedule.

(4) For the purposes of regulation 21 and this regulation, the term “maintenance” means the normal day-to-day living expenses of the child with respect to whom the current assessment was made.