
EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 4 of the Child Support (Northern Ireland) Order 1995 (“the 1995 Order”) introduces a child maintenance bonus for persons who are or have been entitled to income support or an income-based jobseeker’s allowance and who have also been in receipt of child maintenance payments.

Regulation 1 contains provisions relating to citation, commencement and interpretation.

Regulations 2 to 4 specify the circumstances in which the Regulations apply and the conditions for entitlement to the bonus.

Regulation 5 details the method of calculating the amount of the bonus and regulation 6 enables the Department of Health and Social Services to issue estimates to claimants of their projected level of bonus.

Regulations 7 to 9 contain detailed provisions as to the application of the Regulations in specific situations, namely, where the person with the care of the child dies, is at or approaching retirement or is one of a couple.

Regulations 10 and 11 provide details relating to claims for the bonus and regulations 12 and 13 relate to the payment of the bonus. Regulation 14 treats the bonus as capital for certain social security benefits.

Regulation 15 provides for payments made by way of bonus to be disregarded for up to 12 months in calculating capital for the purposes of disability working allowance, family credit and housing benefit.

Regulation 16 provides that deductions which are made from the payment of certain social security benefits are not to be made from payments by way of child maintenance bonus.

These Regulations are made in consequence of Article 4 of the 1995 Order which came into operation on 16th October 1996 by virtue of the Child Support (1995 Order) (Commencement No. 3) Order (Northern Ireland) 1996 (S.R. 1996 No. 429 (C. 24)). Section 149(5) of the Social Security Administration (Northern Ireland) Act 1992 (c. 8) which relates to the Social Security Advisory Committee, is applied to Article 4 of the 1995 Order by virtue of the amendment made to section 149(5) by paragraph 16 of Schedule 3 to the 1995 Order. The Regulations are made within 6 months of the coming into operation of Article 4 and accordingly are exempt, by virtue of section 150(5)(b) of the Social Security Administration (Northern Ireland) Act 1992, from reference to the Social Security Advisory Committee.