
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 17

The Child Support (Maintenance Calculation Procedure) Regulations (Northern Ireland) 2001

Part III

Default Maintenance Decisions

Default rate

7.—(1) Where the Department makes a default maintenance decision under Article 14(1) of the Order (insufficient information to make a maintenance calculation or to make a decision under Article 18 or 19 of the Order⁽¹⁾) the default rate is as set out in paragraph (2).

(2) The default rate for the purposes of Article 14(5)(b) of the Order shall be—

£30 where there is one qualifying child of the non-resident parent;

£40 where there are two qualifying children of the non-resident parent;

£50 where there are three or more qualifying children of the non-resident parent,

apportioned, where the non-resident parent has more than one qualifying child and in relation to them there is more than one person with care, as provided in paragraph 6(2) of Part I of Schedule 1 to the Order⁽²⁾.

(3) Subject to paragraph (4), where any apportionment made under this regulation results in a fraction of a penny that fraction shall be treated as a penny if it is either one half or exceeds one half, otherwise it shall be disregarded.

(4) If, in making the apportionment required by this regulation, the effect of the application of paragraph (3) would be such that the aggregate amount of child support maintenance payable by a non-resident parent would be different from the aggregate amount payable before any apportionment, the Department shall adjust that apportionment so as to eliminate that difference; and that adjustment shall be varied from time to time so as to secure that, taking one week with another and so far as is practicable, each person with care receives the amount which each person with care would have received if no adjustment had been made under this paragraph.

(1) Articles 18 and 19 were substituted respectively by Articles 40 and 41 of the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and are amended respectively by sections 8 and 9 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000

(2) Part I of Schedule 1 is substituted by section 1(3) of, and Schedule 1 to, the Child Support, Pensions and Social Security Act (Northern Ireland) 2000