
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 19

The Child Support (Transitional Provisions) Regulations (Northern Ireland) 2001

Part III

Amount Payable Following Conversion Decision

Effect on conversion calculation—maximum amount payable where relevant departure direction is on additional cases ground

22.—(1) Subject to regulation 23, where this regulation applies the amount of child support maintenance which the non-resident parent shall be liable to pay shall be whichever is the lesser of—

- (a) a weekly amount calculated by aggregating the first prescribed amount with the result of applying Part I of Schedule 1 to the Order with the additional income arising under the relevant departure direction, other than the weekly amount of any benefit, pension or allowance which the non-resident parent receives which is prescribed for the purposes of paragraph 4(1)(b) of Part I of Schedule 1 to the Order; or
- (b) a weekly amount calculated by applying Part I of Schedule 1 to the Order to the aggregate of the net weekly income taken into account for the purposes of the maintenance assessment which is the subject of the conversion decision and the additional income arising under the relevant departure direction.

(2) This regulation applies where the relevant departure direction is one to which regulation 17(5) or (7) (additional cases) applies and the non-resident parent's liability calculated as provided in Part I of Schedule 1 to the Order, and Regulations made under that Schedule, would, but for the relevant departure direction be—

- (a) the first prescribed amount;
- (b) the first prescribed amount but is less than that amount or nil, owing to the application of paragraph 8 of Part I of that Schedule; or
- (c) the first prescribed amount but for the application of paragraph 5(a) of that Schedule.

(3) For the purposes of paragraph (1)—

- (a) “additional income” for the purposes of sub-paragraphs (a) and (b) means such income after the application of a relevant departure direction falling within regulation 17(2) or (3) (special expenses); and
- (b) “weekly amount” for the purposes of sub-paragraphs (a) and (b) means the aggregate of the amounts referred to in the relevant sub-paragraph
 - (i) adjusted as provided in regulation 23(3) as if the reference in that regulation to child support maintenance were to the weekly amount, and
 - (ii) after any deduction provided for in regulation 23(4) as if the reference in that regulation to child support maintenance were to the weekly amount.