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STATUTORY RULES OF NORTHERN IRELAND

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**2002 No. 164**

**The Social Security and Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2002**

**Amendment of the Child Support (Variations) Regulations**

**10.**—(1) The Child Support (Variations) Regulations (Northern Ireland) 2001<sup>(1)</sup> shall be amended in accordance with paragraphs (2) to (5).

(2) In regulation 7 (prescribed circumstances)—

- (a) in paragraph (1) for “Article 28G” there shall be substituted “Article 28A or 28G”; and
- (b) in paragraph (7)—
  - (i) after “agreed” there shall be inserted “and the application had been made under Article 28G of the Order”, and
  - (ii) after “effect” there shall be inserted “and if the variation were agreed, and the application had been made under Article 28A of the Order, the decision under Article 13 of the Order would take effect”.

(3) In regulation 16(4) (prescription of terms) for “£5,000” there shall be substituted “£4,999·99”.

(4) In regulation 18 (assets)—

- (a) in paragraph (1)(a) for “has the beneficial interest” there shall be substituted “has a beneficial interest”;
- (b) in paragraph (3)—
  - (i) in sub-paragraph (d) at the beginning there shall be inserted “except where the asset is of a type specified in paragraph (2)(b) and produces income which does not form part of the net weekly income of the non-resident parent as calculated or estimated under Part III of the Schedule to the Maintenance Calculations and Special Cases Regulations,” and
  - (ii) after sub-paragraph (e) there shall be added—
    - “; or
    - (f) where, were the non-resident parent a claimant, paragraph 22 (treatment of payments from certain trusts) or 59 (treatment of relevant trust payments) of Schedule 10 to the Income Support (General) Regulations (Northern Ireland) 1987<sup>(2)</sup> would apply to the asset referred to in that paragraph.”;
- (c) in paragraph (5) after “allowance” there shall be inserted “prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Order”.

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<sup>(1)</sup> S.R. 2001 No. 20

<sup>(2)</sup> S.R. 1987 No. 459; paragraph 22 was added by regulation 37(e) of S.R. 1988 No. 146, substituted by regulation 4(8)(a) of S.R. 1991 No. 204 and amended by regulation 5(6) of S.R. 1992 No. 201, regulation 5(3) of S.R. 1993 No. 195, regulation 5(5) of S.R. 1993 No. 233 and the Schedule to S.R. 2000 No. 241 and paragraph 59 was inserted by regulation 2(1) of S.R. 2001 No. 150

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(5) In regulations 19(5)(a) (income not taken into account and diversion of income) and 20(5) (life-style inconsistent with declared income) after “allowance” there shall be inserted “prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Order”.