
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 422

**The Child Support (Management of Payments
and Arrears) Regulations (Northern Ireland) 2009**

PROSPECTIVE

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Child Support (Management of Payments and Arrears) Regulations (Northern Ireland) 2009 and shall come into operation on 25th January 2010.

Commencement Information

II Reg. 1 in operation at 25.1.2010, see [reg. 1](#)

Interpretation

2.—(1) In these Regulations—

“the Order” means the Child Support (Northern Ireland) Order 1991;

“old scheme case” means a case in respect of which the provisions of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000⁽¹⁾ have not been brought into operation in accordance with Article 3 of the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 9) Order (Northern Ireland) 2003⁽²⁾;

“the AIAMA Regulations” means the Child Support (Arrears, Interest and Adjustment of Maintenance Assessments) Regulations (Northern Ireland) 1992⁽³⁾;

“the Decisions and Appeals Regulations” means the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999⁽⁴⁾;

“non-resident parent” includes a person treated as a non-resident parent by virtue of regulations made under Article 39 of the Order⁽⁵⁾;

“relevant person” means—

- (a) a person with care; or
- (b) a non-resident parent,

(1) 2000 (c. 4)(N.I.)

(2) S.R. 2003 No. 53 (C. 4)

(3) S.R. 1992 No. 342

(4) S.R. 1999 No. 162

(5) Article 39 is amended by paragraph 11 of Schedule 3 to the 2000 Act in respect of certain cases only

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Child Support (Management of Payments and Arrears) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

in respect of whom a maintenance calculation is or has been in force.

(2) In the application of these Regulations to an old scheme case, any reference to expressions in the Order (including “non-resident parent” and “maintenance calculation”), or to regulations made under the Order, are to be read with the necessary modifications.

Commencement Information

I2 Reg. 2 in operation at 25.1.2010, see [reg. 1](#)

Arrears notices

3.—(1) This regulation applies to a case where—

- (a) the Department is arranging for the collection of child support maintenance under Article 29 of the Order⁽⁶⁾; and
- (b) the non-resident parent has failed to make one or more payments of child support maintenance due.

(2) Where the Department is considering taking action with regard to a case falling within paragraph (1), it must serve a notice on the non-resident parent.

(3) The notice must—

- (a) itemize the payments of child support maintenance due and not paid;
- (b) set out in general terms the provisions as to arrears contained in this regulation and regulation 8 of the AIAMA Regulations⁽⁷⁾; and
- (c) request the non-resident parent make payment of all outstanding arrears.

(4) Where a notice has been served under paragraph (2), no duty to serve a further notice under that paragraph arises in relation to further arrears unless those further arrears have arisen after an intervening continuous period of not less than 12 weeks during the course of which all payments of child support maintenance due from the non-resident parent have been paid on time in accordance with regulations made under Article 29 of the Order.

Commencement Information

I3 Reg. 3 in operation at 25.1.2010, see [reg. 1](#)

Attribution of payments

4. Where a maintenance calculation is or has been in force and there are arrears of child support maintenance, the Department may attribute any payment of child support maintenance made by a non-resident parent to child support maintenance due as it thinks fit.

Commencement Information

I4 Reg. 4 in operation at 25.1.2010, see [reg. 1](#)

⁽⁶⁾ Article 29 was amended by section 1(2) of the 2000 Act, and section 12 of, and Schedule 5 to, the 2008 Act

⁽⁷⁾ Regulation 8 was substituted by regulation 5(2) of S.R. 1995 No. 475 and was amended by regulation 22(1) of S.R. 1996 No. 289 and regulation 2(7) of S.R. 2001 No. 15

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Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Pt. 4A4B inserted by [S.R. 2012/439 reg. 2](#)
- Sch. 1 inserted by [S.R. 2022/178 art. 4\(8\)](#)
- reg. 2(3) modified by [S.R. 2014/193 reg. 3\(2\)](#)
- reg. 2A added by [S.R. 2022/178 art. 4\(3\)](#)
- reg. 3(1)(c) modified by [S.R. 2014/193 reg. 3\(3\)\(b\)](#)
- reg. 3A modified by [S.R. 2014/193 reg. 3\(4\)](#)
- reg. 13F© word omitted by [S.R. 2019/116 reg. 4\(3\)\(a\)](#)
- reg. 13F(c) word omitted by [S.R. 2018/210 reg. 4\(3\)\(a\)](#)
- reg. 13F(c) word omitted by [S.R. 2019/221 reg. 4\(3\)\(a\)](#)
- reg. 13F(e) and preceding semi-colon inserted by [S.R. 2018/210 reg. 4\(3\)\(b\)](#)
- reg. 13F(e)-(g) and preceding semi-colon inserted by [S.R. 2019/116 reg. 4\(3\)\(b\)](#)
- reg. 13F(e)-(g) and semi-colon inserted by [S.R. 2019/221 reg. 4\(3\)\(b\)](#)
- reg. 13F(f) word omitted by [S.R. 2019/125 reg. 4\(2\)\(a\)](#)
- reg. 13F(f) word omitted by [S.R. 2019/222 reg. 4\(2\)\(a\)](#)
- reg. 13F(g) word omitted by [S.R. 2023/189 reg. 2\(2\)\(a\)](#)
- reg. 13F(h) and preceding word inserted by [S.R. 2019/125 reg. 4\(2\)\(b\)](#)
- reg. 13F(h) and word inserted by [S.R. 2019/222 reg. 4\(2\)\(b\)](#)
- reg. 13F(i)(j) and semi-colon inserted by [S.R. 2023/189 reg. 2\(2\)\(b\)](#)
- reg. 13F(aa) inserted by [S.R. 2013/190 reg. 5](#)
- reg. 13G(da) inserted by [S.R. 2019/116 reg. 4\(4\)\(e\)](#)
- reg. 13G(da) inserted by [S.R. 2019/221 reg. 4\(4\)\(e\)](#)
- reg. 13G(1A) inserted by [S.R. 2018/210 reg. 4\(4\)\(a\)](#)
- reg. 13G(1A) inserted by [S.R. 2019/116 reg. 4\(4\)\(a\)](#)
- reg. 13G(1A) inserted by [S.R. 2019/221 reg. 4\(4\)\(a\)](#)
- reg. 13G(2) words inserted by [S.R. 2018/210 reg. 4\(4\)\(b\)](#)
- reg. 13G(2) words inserted by [S.R. 2019/116 reg. 4\(4\)\(b\)](#)
- reg. 13G(2) words inserted by [S.R. 2019/125 reg. 4\(3\)](#)
- reg. 13G(2) words inserted by [S.R. 2019/221 reg. 4\(4\)\(b\)](#)
- reg. 13G(2) words inserted by [S.R. 2019/222 reg. 4\(3\)](#)
- reg. 13G(2) words inserted by [S.R. 2023/189 reg. 2\(3\)](#)
- reg. 13G(3)(b) words inserted by [S.R. 2018/210 reg. 4\(4\)\(c\)\(i\)](#)
- reg. 13G(3)(b) words inserted by [S.R. 2018/210 reg. 4\(4\)\(c\)\(ii\)](#)
- reg. 13G(3)(b) words inserted by [S.R. 2019/116 reg. 4\(4\)\(c\)\(i\)](#)
- reg. 13G(3)(b) words inserted by [S.R. 2019/116 reg. 4\(4\)\(c\)\(ii\)](#)
- reg. 13G(3)(b) words inserted by [S.R. 2019/221 reg. 4\(4\)\(c\)\(i\)](#)
- reg. 13G(3)(b) words inserted by [S.R. 2019/221 reg. 4\(4\)\(c\)\(ii\)](#)
- reg. 13G(3)(d) word omitted by [S.R. 2018/210 reg. 4\(4\)\(d\)](#)
- reg. 13G(3)(d) word omitted by [S.R. 2019/116 reg. 4\(4\)\(d\)](#)
- reg. 13G(3)(d) word omitted by [S.R. 2019/221 reg. 4\(4\)\(d\)](#)
- reg. 13G(3)(d) words inserted by [S.R. 2018/210 reg. 4\(4\)\(d\)](#)
- reg. 13G(3)(d) words inserted by [S.R. 2019/116 reg. 4\(4\)\(d\)](#)
- reg. 13G(3)(d) words inserted by [S.R. 2019/221 reg. 4\(4\)\(d\)](#)

- reg. 13G(3)(da) inserted by S.R. 2018/210 reg. 4(4)(e)
- reg. 13G(3)(da)(i) words inserted by S.R. 2022/178 art. 4(4)(a)
- reg. 13G(3)(da)(ii) words inserted by S.R. 2022/178 art. 4(4)(a)
- reg. 13G(4) words substituted by S.R. 2018/210 reg. 4(4)(f)
- reg. 13G(4) words substituted by S.R. 2019/116 reg. 4(4)(f)
- reg. 13G(4) words substituted by S.R. 2019/221 reg. 4(4)(f)
- reg. 13G(4A) inserted by S.R. 2018/210 reg. 4(4)(g)
- reg. 13G(4A) inserted by S.R. 2019/116 reg. 4(4)(g)
- reg. 13G(4A) inserted by S.R. 2019/221 reg. 4(4)(g)
- reg. 13G(5) word inserted by S.R. 2022/178 art. 4(4)(b)
- reg. 13G(6) added by S.R. 2022/178 art. 4(4)(c)
- reg. 13H words inserted by S.R. 2018/210 reg. 4(5)
- reg. 13H words inserted by S.R. 2019/116 reg. 4(5)
- reg. 13H words inserted by S.R. 2019/221 reg. 4(5)
- reg. 13I(2) words inserted by S.R. 2018/210 reg. 4(6)
- reg. 13I(2) words inserted by S.R. 2019/116 reg. 4(6)
- reg. 13I(2) words inserted by S.R. 2019/221 reg. 4(6)
- reg. 13I(2) words inserted by S.R. 2022/178 art. 4(5)
- reg. 13I(2) words substituted by S.R. 2023/189 reg. 2(4)
- reg. 13J inserted by S.R. 2018/210 reg. 4(7)
- reg. 13J inserted by S.R. 2019/116 reg. 4(7)
- reg. 13J inserted by S.R. 2019/221 reg. 4(7)