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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 422**

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

PROSPECTIVE

**PART 4**

Recovery from Estates

**Application and interpretation**

**10.**—(1) This Part applies in relation to the estate of a person who dies on or after the day on which these Regulations come into operation.

(2) In this Part, “child support maintenance” means child support maintenance for the collection of which the Department is authorised to make arrangements.

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**Commencement Information**

**I1** Reg. 10 in operation at 25.1.2010, see [reg. 1](#)

**Recovery of arrears from a deceased person’s estate**

**11.** Arrears of child support maintenance for which a deceased person was liable immediately before death are a debt payable by the deceased’s executor or administrator out of the deceased’s estate to the Department.

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**Commencement Information**

**I2** Reg. 11 in operation at 25.1.2010, see [reg. 1](#)

**Appeals and other proceedings**

**12.**—(1) The deceased’s executor or administrator has the same rights, subject to the same procedures and time limits, as the deceased person had immediately before death to institute, continue or withdraw any proceedings under the Order, whether by appeal or otherwise.

(2) Regulation 34 of the Decisions and Appeals Regulations shall apply to a case where the non-resident parent is the deceased party to the proceedings as if for paragraphs (1) and (2) there were substituted the following paragraph—

“(1) In any proceedings, on the death of a non-resident parent, the Department must appoint the deceased’s executor or administrator to proceed with the appeal in place of

*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*

the deceased, unless there is no such person in which circumstances it may appoint such person as it thinks fit to proceed with the appeal.”.

**Commencement Information**

**I3** Reg. 12 in operation at 25.1.2010, see [reg. 1](#)

**Disclosure of information**

**13.**—(1) The Department may disclose information held for the purposes of the Order to the deceased’s executor or administrator where, in the opinion of the Department, such information is essential to enable the executor or administrator to administer the deceased’s estate, including, where necessary, to institute, continue or withdraw proceedings under the Order.

(2) Any application for information under this regulation shall be made to the Department in writing setting out the reasons for the application.

(3) Except where a person gives written permission to the Department that the information mentioned in sub-paragraphs (a) and (b) in relation to that person may be disclosed to other persons, any information disclosed under paragraph (1) must not contain—

- (a) the address of any person, except that of the recipient of the information in question and the office of the officer concerned who is exercising functions of the Department under the Order, or any other information the use of which could reasonably be expected to lead to any such person being located;
- (b) any other information the use of which could reasonably be expected to lead to any person, other than a party to the maintenance calculation, being identified.

**Commencement Information**

**I4** Reg. 13 in operation at 25.1.2010, see [reg. 1](#)

**Status:**

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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)