
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 182

The Child Support Fees Regulations (Northern Ireland) 2014

PART 2

Collection fee

Interpretation of this Part

2. For the purposes of this Part—

“child support maintenance” means child support maintenance calculated under Part 1 of Schedule 1 to the Child Support Order⁽¹⁾ as amended by Schedule 1 to the 2008 Act, which has accrued on or after the date on which this regulation comes into operation;

“person with care” has the meaning given in Article 4(3) of the Child Support Order.

The collection fee

3.—(1) A collection fee is payable to the Department by—

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

in relation to a case where there are arrangements for collection.

(2) The amount of the collection fee payable by a non-resident parent in respect of each day is—

- (a) subject to sub-paragraph (b), 20% of the daily amount;
- (b) where there is more than one person with care in relation to that non-resident parent, in respect of each person with care, 20% of the alternative daily amount.

(3) The amount of the collection fee payable by a person with care is 4% of any payment of child support maintenance in relation to which there are arrangements for collection, which the Department has collected and which would otherwise be paid to that person.

(4) In this regulation—

“alternative daily amount” means the alternative weekly amount divided by 7;

“alternative weekly amount” means the weekly amount of child support maintenance that the non-resident parent is liable to pay in respect of the person with care in question and in relation to which there are arrangements for collection;

“daily amount” means the weekly amount divided by 7;

“weekly amount” means the weekly amount of child support maintenance that the non-resident parent is liable to pay and in relation to which there are arrangements for collection.

(1) Part 1 of Schedule 1 is substituted by section 1(3) of and Schedule 1 to the 2000 Act and amended by Schedule 1 to the Child Support Maintenance Act (Northern Ireland) 2008

(5) Where a calculation carried out under this regulation results in a fraction of a penny, that is to be treated as a penny if it is either one half or exceeds one half, and otherwise it is to be disregarded.

(6) For the purposes of this regulation, there are arrangements for collection where the Department is making arrangements in accordance with paragraph (7) to collect child support maintenance under Article 29(1) of the Child Support Order⁽²⁾ and the payments of child support maintenance are transmitted through the Department.

(7) Arrangements for the collection of child support maintenance payable may be made where—

- (a) the non-resident parent agrees to the arrangements; or
- (b) the Department is satisfied that without the arrangements child support maintenance is unlikely to be paid in accordance with the calculation.

Recovery of the collection fee

4.—(1) Any amount of the collection fee payable by a non-resident parent under regulation 3 (the collection fee) may be recovered by the Department from any payment made by that non-resident parent to the Department.

(2) Any amount of the collection fee payable by a person with care under regulation 3 may be recovered by the Department from any payment of child support maintenance which would otherwise be paid to that person by the Department.

(2) Article 29(1) was amended by section 1(2)(a) of the 2000 Act and Schedule 5 to the Child Maintenance Act (Northern Ireland) 2008