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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 193**

**The Child Support (Modification,  
Consequential and Miscellaneous Amendments)  
Regulations (Northern Ireland) 2014**

**Modification of the Child Support (Management of Payments and Arrears) Regulations**

**3.—(1)** The Child Support (Management of Payments and Arrears) Regulations (Northern Ireland) 2009<sup>(1)</sup> are modified, in relation to a case in which liability to pay child support maintenance is calculated in accordance with Part 1 of Schedule 1 to the Child Support (Northern Ireland) Order 1991 as amended by paragraph 2 of Schedule 1 to the Child Maintenance Act (Northern Ireland) 2008, as if they had been amended as follows.

(2) In regulation 2 (interpretation) after paragraph (2) add—

“(3) For the purposes of regulations 3 and 3A there are “arrangements for direct pay” where the Department has specified that payments of child support maintenance shall be made by the non-resident parent to the person caring for the child in question.”.

(3) In regulation 3(1) (arrears notices)—

(a) in paragraph (a) for “; and” substitute “ or there are arrangements for direct pay;”; and

(b) after paragraph (b) add—

“and

(c) regulation 3A(1) does not apply or regulation 3A(1) does apply but the notice referred to in paragraph (2) of that regulation has not been given.”.

(4) After regulation 3 insert—

**“Notice of consequences of failure to pay child support maintenance due**

**3A.—(1)** This paragraph applies to a case where—

(a) either—

(i) there are arrangements for direct pay, or

(ii) the Department is arranging for the collection of child support maintenance under Article 29 of the Order but there are no arrangements for enforcement under that Order; and

(b) the non-resident parent has failed to make one or more payments of child support maintenance due.

(2) Where paragraph (1) applies to a case, the Department may only start making arrangements for collection under Article 29 of the Order or arrangements for enforcement under that Order (or both) where the non-resident parent has been given a notice, within the preceding 12 month period, setting out that the Department will consider making such

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arrangements where there is a failure to make one or more payments of child support maintenance due.”.

(5) In regulation 11 (recovery of arrears from a deceased person’s estate) after “maintenance” insert “and collection fees (payable under regulation 3 of the Child Support Fees Regulations (Northern Ireland) 2014)”.