

Changes to legislation: Child Support Act 1991, SCHEDULE 4 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 4

Section 22(5).

CHILD SUPPORT COMMISSIONERS [F1FOR NORTHERN IRELAND]

Textual Amendments

- F1** Words in Sch. 4 heading inserted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), Sch. 3 para. 97(2)

Tenure of office

- 1 (1) Every Child Support Commissioner [F2for Northern Ireland] shall vacate his office [F3on the date on which he reaches the age of [F475]].

F5(2)

F6(3)

F6(3A)

F6(3B)

Textual Amendments

- F2** Words in Sch. 4 para. 1(1) inserted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), Sch. 3 para. 97(3)(a)
- F3** Words in Sch. 4 para. 1(1) substituted (31.3.1995) by Judicial Pensions and Retirement Act 1993 (c. 8), s. 31(2), Sch. 6 para. 23(2)(a) (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, art. 2
- F4** Word in Sch. 4 para. 1(1) substituted (10.3.2022) by Public Service Pensions and Judicial Offices Act 2022 (c. 7), s. 131(1)(4)(a), Sch. 1 para. 23(2) (with Sch. 1 para. 43)
- F5** Sch. 4 para. 1(2) repealed (31.3.1995) by Judicial Pensions and Retirement Act 1993 (c. 8), s. 31(2), Sch. 6 para. 23(2)(b), Sch. 9 (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, art. 2
- F6** Sch. 4 para. 1(3)-(3B) omitted (3.11.2008) by virtue of The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), Sch. 3 para. 97(3)(b)

Commissioners' remuneration and their pensions

- 2 (1) The [F7Department of Justice shall] pay, or make such payments towards the provision of such remuneration, F8... allowances or gratuities to or in respect of persons appointed as Child Support Commissioners [F9for Northern Ireland] as, with the consent of the Treasury, [F10the Lord Chancellor] may determine.

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- (2) The [^{F11}Department of Justice] shall pay to a Child Support Commissioner [^{F12}for Northern Ireland] such expenses incurred in connection with his work as such a Commissioner as may be determined by the Treasury.
- [^{F13}(3) Sub-paragraph (1), so far as relating to pensions, allowances or gratuities, shall not have effect in relation to any person to whom Part I of the Judicial Pensions and Retirement Act 1993 applies, except to the extent provided by or under that Act.]

Textual Amendments

- F7** Words in Sch. 4 para. 2(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 18 para. 42(a)(i)** (with arts. 28-31)
- F8** Word in Sch. 4 para. 2(1) omitted (3.11.2008) by virtue of The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), **Sch. 3 para. 97(4)(a)(i)**
- F9** Words in Sch. 4 para. 2(1) inserted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), **Sch. 3 para. 97(4)(a)(ii)**
- F10** Words in Sch. 4 para. 2(1) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 18 para. 42(a)(ii)** (with arts. 28-31)
- F11** Words in Sch. 4 para. 2(2) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 1(2), **Sch. 18 para. 42(b)** (with arts. 28-31)
- F12** Words in Sch. 4 para. 2(2) inserted (3.11.2008) by The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), **Sch. 3 para. 97(4)(b)**
- F13** Sch. 4 para. 2(3) added (31.3.1995) by Judicial Pensions and Retirement Act 1993 (c. 8), s. 31(2), **Sch. 8 para. 21(2)**; S.I. 1995/631, art. 2

[^{F14}Expenses of other persons]

Textual Amendments

- F14** Sch. 4 para. 2A and cross-heading inserted (18.12.1995) by Child Support Act 1995 (c. 34), s. 30(4), **Sch. 3 para. 18(1)**; S.I. 1995/3262, art. 2, Sch. Pt. 1

^{F15}2A

Textual Amendments

- F15** Sch. 4 para. 2A omitted (3.11.2008) by virtue of The Transfer of Tribunal Functions Order 2008 (S.I. 2008/2833), art. 1(1), **Sch. 3 para. 97(5)**

Commissioners barred from legal practice

- [^{F163} A Child Support Commissioner for Northern Ireland, so long as he holds office as such, shall not practise as a barrister or act for any remuneration to himself as arbitrator or referee or be directly or indirectly concerned in any matter as a conveyancer, notary public or solicitor.]

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Textual Amendments

- F16** Sch. 4 para. 3 substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(6\)](#)

Deputy Child Support Commissioners

- 4 ^{F17}(1) The Northern Ireland Judicial Appointments Commission may appoint persons to act as Child Support Commissioners for Northern Ireland (but to be known as deputy Child Support Commissioners for Northern Ireland) in order to facilitate the disposal of the business of Child Support Commissioners for Northern Ireland.]
- ^{F17}(2) A deputy Child Support Commissioner for Northern Ireland shall be appointed—
- (a) from among persons who are barristers or solicitors of not less than the number of years' standing specified in section 23(2), and
 - (b) subject to sub-paragraph (2A), for such period or on such occasions as the Commission determines with the agreement of the ^{F18}Department of Justice].]
- ^{F19}(2A) No appointment of a person to be a deputy Child Support Commissioner ^{F20}for Northern Ireland] shall be such as to extend beyond the date on which he reaches the age of ^{F21}75].]
- ^{F22}(3) Paragraph 2 applies to deputy Child Support Commissioners for Northern Ireland, but paragraph 3 does not apply to them.]

Textual Amendments

- F17** Sch. 4 para. 4(1)(2) substituted (12.4.2010) by [Northern Ireland Act 2009 \(c. 3\)](#), s. 5(7), [Sch. 4 para. 23](#) (with [Sch. 5 para. 16](#)); S.I. 2010/812, art. 2
- F18** Words in [Sch. 4 para. 4\(2\)\(b\)](#) substituted (N.I.) (12.4.2010) by [Department of Justice Act \(Northern Ireland\) 2010 \(c. 3\)](#), s. 3(2), [Sch. para. 7](#); S.R. 2010/147, [art. 2\(2\)](#)
- F19** Sch. 4 para. 4(2A) inserted (31.3.1995) by [Judicial Pensions and Retirement Act 1993 \(c. 8\)](#), s. 31(2), [Sch. 6 para. 23\(3\)](#) (with [Sch. 7 paras. 2\(2\), 3\(2\), 4](#)); S.I. 1995/631, art. 2
- F20** Words in Sch. 4 para. 4(2A) inserted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(7\)\(e\)](#)
- F21** Word in [Sch. 4 para. 4\(2A\)](#) substituted (10.3.2022) by [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\)](#), s. 131(1)(4)(a), [Sch. 1 para. 23\(3\)](#) (with [Sch. 1 para. 43](#))
- F22** Sch. 4 para. 4(3) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(7\)\(f\)](#)

^{F23}Determination of questions by other officers]

Textual Amendments

- F23** Sch. 4 para. 4A and cross-heading inserted (18.12.1995) by [Child Support Act 1995 \(c. 34\)](#), [ss. 17\(1\), 30\(4\)](#); S.I. 1995/3262, art. 2, [Sch. Pt. 1](#)

^{F24}4A

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Textual Amendments
F24 Sch. 4 paras. 4A-8 omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(8\)](#)

Tribunals of Commissioners

F24₅

Textual Amendments
F24 Sch. 4 paras. 4A-8 omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(8\)](#)

Finality of decisions

F24₆

Textual Amendments
F24 Sch. 4 paras. 4A-8 omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(8\)](#)

Consultation with Lord Advocate

F24₇

Textual Amendments
F24 Sch. 4 paras. 4A-8 omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(8\)](#)

Northern Ireland

F24₈

Textual Amendments
F24 Sch. 4 paras. 4A-8 omitted (3.11.2008) by virtue of [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), [Sch. 3 para. 97\(8\)](#)

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

– Act applied (with modifications) by [S.I. 2010/875 reg. 16Sch. 2](#)

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

- s. 4(3A)(3B) inserted by [2023 c. 24 s. 1\(2\)](#)
- s. 4(4)(d) and word inserted by [2023 c. 24 s. 1\(3\)\(b\)](#)
- s. 6(2A) inserted by [2008 c. 6 Sch. 3 para. 4\(2\)](#)
- s. 7(4A)(4B) inserted by [2023 c. 24 s. 2\(2\)](#)
- s. 7(5)(d) and word inserted by [2023 c. 24 s. 2\(3\)\(b\)](#)
- s. 9A inserted by [2012 c. 5 s. 138](#)
- s. 9A(1)(2) amendment to earlier affecting provision [2012 c. 5 s. 138](#) by [S.I. 2012/2007 Sch. para. 107\(2\)](#)
- s. 9A(3) amendment to earlier affecting provision [2012 c. 5 s. 138](#) by [S.I. 2012/2007 Sch. para. 107\(2\)](#)
- s. 9A(5) amendment to earlier affecting provision [2012 c. 5 s. 138](#) by [S.I. 2012/2007 Sch. para. 107\(3\)](#)
- s. 9A(6) amendment to earlier affecting provision [2012 c. 5 s. 138](#) by [S.I. 2012/2007 Sch. para. 107\(4\)](#)
- s. 20(1)(ba) amendment to earlier affecting provision [2008 c. 6 Sch. 7 para. 1\(3\)](#) by [S.I. 2012/2007 Sch. para. 97\(2\)](#)
- s. 20(1)(ba) inserted by [2008 c. 6 Sch. 7 para. 1\(3\)](#)
- s. 20(2)(aa) inserted by [2008 c. 6 Sch. 7 para. 1\(4\)](#)
- s. 20(3A)(3B) amendment to earlier affecting provision [2012 c. 5 s. Sch. 11 para. 6\(2\)](#) by [S.I. 2012/2007 Sch. para. 108\(3\)](#)
- s. 20(5A) inserted by [2008 c. 6 Sch. 7 para. 1\(5\)](#)
- s. 20(7A) amendment to earlier affecting provision [2008 c. 6 Sch. 7 para. 1\(6\)](#) by [S.I. 2012/2007 Sch. para. 97\(3\)](#)
- s. 20(7A) inserted by [2008 c. 6 Sch. 7 para. 1\(6\)](#)
- s. 20(7A) words substituted by [S.I. 2008/2833 Sch. 3 para. 81\(b\)](#)
- s. 30(5A) added by [1995 c. 34 Sch. 3 para. 9](#)
- s. 31(8)(9) substituted for s. 31(8) by [2008 c. 6 s. 21](#)
- s. 32M32N inserted by [2008 c. 6 s. 25](#)
- s. 32M(1) amendment to earlier affecting provision [2008 c. 6 s. 25](#) by [S.I. 2012/2007 Sch. para. 79\(2\)](#)
- s. 32M(1) substituted by [2023 c. 35 s. 2](#)
- s. 32M(2) amendment to earlier affecting provision [2008 c. 6 s. 25](#) by [S.I. 2012/2007 Sch. para. 79\(3\)](#)
- s. 32M(3) words substituted by [2023 c. 35 s. 4\(3\)](#)
- s. 32N(2)(ba) inserted by [2023 c. 35 s. 3](#)
- s. 32N(3)-(5) inserted by [2023 c. 35 s. 4\(2\)](#)
- s. 38(1)(aa) inserted by [2007 asp 3 Sch. 5 para. 18\(a\)\(i\)](#)
- s. 38(1)(aa) word substituted by [2008 c. 6 Sch. 3 para. 40\(b\)](#) (This amendment will come into force (a) in relation to Scotland, immediately after 2007 asp 3, Sch. 5 par. 18(a)(i) comes into force, and (b) in relation to England and Wales, immediately after 2007 asp 3, Sch. 5 par. 18(a)(i) extends to England and Wales. See [S.I. 2008/2675](#), art. 2)
- s. 39B(3)(b)(c) words substituted by [2010 c. 40 Sch. para. 7\(2\)](#)
- s. 39C(1)-(1B) substituted for s. 39C(1) by [2009 c. 24 s. 51\(3\)](#)
- s. 39E(1A) inserted by [2009 c. 24 Sch. 5 para. 5\(3\)](#)

- s. 39F(2)(e) amendment to earlier affecting provision 2009 c. 24 Sch. 5 para. 6 by [S.I. 2012/2007 Sch. para. 100\(4\)](#)
- s. 39F(2)(f) amendment to earlier affecting provision 2009 c. 24 Sch. 5 para. 6 by [S.I. 2012/2007 Sch. para. 100\(4\)](#)
- s. 39H-39Q inserted by [2008 c. 6 s. 28](#)
- s. 39H(1) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(2\)\(a\)](#)
- s. 39H(2)-(5) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(2\)\(b\)](#)
- s. 39K(2) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(3\)](#)
- s. 39K(4)(5) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(3\)](#)
- s. 39K(6) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(3\)](#)
- s. 39M(2)(a) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(4\)](#)
- s. 39N(1) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(5\)](#)
- s. 39N(7)(8) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(5\)](#)
- s. 39P(2)(g) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(6\)](#)
- s. 39Q(2)(c) amendment to earlier affecting provision 2008 c. 6 s. 28 by [S.I. 2012/2007 Sch. para. 81\(7\)](#)
- s. 39CA39CB inserted by [2009 c. 24 s. 51\(4\)](#)
- s. 39CA(11) omitted by [S.I. 2015/583 Sch. 2 para. 7](#)
- s. 39CB(5)(a) amendment to earlier affecting provision 2009 c. 24 s. 51(4) by [S.I. 2012/2007 Sch. para. 99\(4\)\(a\)](#)
- s. 39CB(6)(a) amendment to earlier affecting provision 2009 c. 24 s. 51(4) by [S.I. 2012/2007 Sch. para. 99\(4\)\(b\)](#)
- s. 39DA heading amendment to earlier affecting provision 2009 c. 24 s. 51(5) by [S.I. 2012/2007 Sch. para. 99\(5\)\(a\)](#)
- s. 39DA inserted by [2009 c. 24 s. 51\(5\)](#)
- s. 39DA(1) amendment to earlier affecting provision 2009 c. 24 s. 51(5) by [S.I. 2012/2007 Sch. para. 99\(5\)\(b\)](#)
- s. 39DA(2) amendment to earlier affecting provision 2009 c. 24 s. 51(5) by [S.I. 2012/2007 Sch. para. 99\(5\)\(c\)](#)
- s. 39DA(3) amendment to earlier affecting provision 2009 c. 24 s. 51(5) by [S.I. 2012/2007 Sch. para. 99\(5\)\(d\)](#)
- s. 40(2A) amendment to earlier affecting provision 2008 c. 6 s. 29(1) by [S.I. 2012/2007 Sch. para. 82\(2\)\(a\)](#)
- s. 40(2A)-(2D) inserted by [2008 c. 6 s. 29\(1\)](#)
- s. 40(2B) amendment to earlier affecting provision 2008 c. 6 s. 29(1) by [S.I. 2012/2007 Sch. para. 82\(2\)\(b\)](#)
- s. 40(2D)(a) amendment to earlier affecting provision 2008 c. 6 s. 29(1) by [S.I. 2012/2007 Sch. para. 82\(2\)\(b\)](#)
- s. 40(10)-(10C) substituted for s. 40(10) by [2008 c. 6 s. 29\(2\)](#)
- s. 40A(A1) amendment to earlier affecting provision 2008 c. 6 s. 29(3) by [S.I. 2012/2007 Sch. para. 82\(3\)\(a\)](#)
- s. 40A(A2) amendment to earlier affecting provision 2008 c. 6 s. 29(3) by [S.I. 2012/2007 Sch. para. 82\(3\)\(b\)](#)
- s. 40A(A1)-(A4) inserted by [2008 c. 6 s. 29\(3\)](#)
- s. 40A(A4)(a) amendment to earlier affecting provision 2008 c. 6 s. 29(3) by [S.I. 2012/2007 Sch. para. 82\(3\)\(b\)](#)
- s. 40A(6)(a) words in s. 40A(6) renumbered as s. 40A(6)(a) by [2008 c. 6 Sch. 7 para. 1\(14\)](#)
- s. 40A(6)(b) inserted by [2008 c. 6 Sch. 7 para. 1\(14\)](#)

- s. 40A(7A)-(7D) inserted by [2008 c. 6 s. 29\(4\)](#)
- s. 40B(A1) amendment to earlier affecting provision [2008 c. 6 s. 30\(1\)](#) by [S.I. 2012/2007 Sch. para. 83\(2\)](#)
- s. 40B(A3) amendment to earlier affecting provision [2008 c. 6 s. 30\(1\)](#) by [S.I. 2012/2007 Sch. para. 83\(3\)](#)
- s. 40B(A1)-(1) substituted for heading and s. 40B(1) by [2008 c. 6 s. 30\(1\)](#)
- s. 40B(A5)(a) amendment to earlier affecting provision [2008 c. 6 s. 30\(1\)](#) by [S.I. 2012/2007 Sch. para. 83\(3\)](#)
- s. 40B(10)-(10C) substituted for s. 40B(10) by [2008 c. 6 s. 30\(2\)](#)
- s. 40B(13) inserted by [2008 c. 6 Sch. 7 para. 1\(18\)](#)
- s. 49A inserted by [2008 c. 6 s. 34](#)
- s. 49A(1) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(2\)](#)
- s. 49A(2)(a) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(3\)](#)
- s. 49A(3) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(4\)](#)
- s. 49A(4) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(5\)](#)
- s. 49A(5)(a) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(6\)](#)
- s. 49A(8)(b) words inserted by [2023 c. 24 s. 3\(4\)](#)
- s. 49A(9)(d) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(6\)](#)
- s. 49A(10)(b) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(6\)](#)
- s. 49A(10)(c) amendment to earlier affecting provision [2008 c. 6 s. 34](#) by [S.I. 2012/2007 Sch. para. 86\(6\)](#)
- s. 49B49C inserted by [2008 c. 6 s. 39](#)
- s. 49B(1) amendment to earlier affecting provision [2008 c. 6 s. 39](#) by [S.I. 2012/2007 Sch. para. 87\(2\)\(a\)](#)
- s. 49B(1) amendment to earlier affecting provision [2008 c. 6 s. 39](#) by [S.I. 2012/2007 Sch. para. 87\(2\)\(b\)](#)
- s. 49B(2)(c) amendment to earlier affecting provision [2008 c. 6 s. 39](#) by [S.I. 2012/2007 Sch. para. 87\(3\)](#)
- s. 49B(3)(b) amendment to earlier affecting provision [2008 c. 6 s. 39](#) by [S.I. 2012/2007 Sch. para. 87\(3\)](#)
- s. 50(5)(da) inserted by [S.I. 2008/2833 Sch. 3 para. 95\(e\)](#)
- s. 52(2A)(aa) inserted by [2023 c. 35 s. 4\(4\)](#)