



Child Support Collection (Domestic Abuse) Act 2023

2023 CHAPTER 24

4 Collection of maintenance in Northern Ireland: cases involving domestic abuse

(1) The Child Support (Northern Ireland) Order 1991 (S.I. 1991/2628 (N.I. 23)) is amended as follows.

(2) In Article 7 (child support maintenance)—

(a) after paragraph (3) insert—

“(3A) Where a maintenance calculation has been made in response to an application under this Article, the Department may, if the person with care or the non-resident parent applies to the Department under this paragraph, arrange for the collection of the child support maintenance payable in accordance with the calculation if satisfied on the basis of evidence of a prescribed kind relating to relevant abusive behaviour that it is appropriate for such arrangements to be made.

(3B) For the purposes of paragraph (3A), “relevant abusive behaviour” means—

(a) where the application under paragraph (3A) is made by the person with care, behaviour of the non-resident parent that is abusive of the person with care or of any child living in the same household with the person with care;

(b) where the application under paragraph (3A) is made by the non-resident parent, behaviour of the person with care that is abusive of the non-resident parent or of any child living in the same household with the non-resident parent.

(3C) What amounts to abusive behaviour for the purposes of paragraph (3B) is to be construed in the same way as is provided for in Chapter 1 of Part 1 of the Domestic Abuse and Civil Proceedings Act (Northern Ireland) 2021 (c.2 (N.I.)) (see sections 2, 3(2) and 4 of that Act).”;

Changes to legislation: There are currently no known outstanding effects for the Child Support Collection (Domestic Abuse) Act 2023, Section 4. (See end of Document for details)

- (b) in paragraph (4) (purposes for which regulations may require information to be provided)—
 - (i) omit the “and” after sub-paragraph (b);
 - (ii) after sub-paragraph (c) insert “; and
 - (d) the making by the Department of a determination for the purposes of paragraph (3A).”
- (3) In Article 29(1) (collection of child support maintenance)—
 - (a) after “7(2A)” (as inserted by Article 127(3) of the Welfare Reform (Northern Ireland) Order 2015 (S.I. 2015/2006 (N.I. 1))) insert “and (3A)”;
 - (b) after “7(2)” insert “or (3A)”.
- (4) In Article 48(2)(a) (regulations to be laid before Assembly after being made), before “9(1)” insert “7(3A),”.

Commencement Information

- II** S. 4 comes into force in accordance with s. 5(5)

Changes to legislation:

There are currently no known outstanding effects for the Child Support Collection (Domestic Abuse) Act 2023, Section 4.