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SCHEDULES

SCHEDULE 3

AMENDMENT OF STATUTORY PROVISIONS RELATING TO CHILD SUPPORT

The Child Support (Northern Ireland) Order 1991 (NI 23)

- 14.** In Article 10 (role of the courts with respect to maintenance for children)—
- (a) in paragraph (1), after “duly made” there shall be inserted “or treated as made”;
 - (b) in paragraph (3), at the beginning there shall be inserted “Except as provided in paragraph (3A),”;
 - (c) for paragraph (3A) there shall be substituted—
 - “(3A) Unless a maintenance calculation has been made with respect to the child concerned, paragraph (3) does not prevent a court from varying a maintenance order in relation to that child and the non-resident parent concerned—
 - (a) if the maintenance order was made on or after the date prescribed for the purposes of Article 7(10)(a); or
 - (b) where the order was made before then, in any case in which Article 7(10) prevents the making of an application for a maintenance calculation with respect to or by that child.”; and
 - (d) in paragraph (6), for sub-paragraph (b) there shall be substituted—
 - “(b) the non-resident parent’s net weekly income exceeds the figure referred to in paragraph 10(3) of Schedule 1 (as it has effect from time to time pursuant to regulations made under paragraph 10A(1)(b)); and”.