
Status: Point in time view as at 25/11/2013.

Changes to legislation: *Child Maintenance Act (Northern Ireland) 2008 is up to date with all changes known to be in force on or before 26 August 2023. 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)*



Child Maintenance Act (Northern Ireland) 2008

CHAPTER 10

CHILD MAINTENANCE ACT (NORTHERN IRELAND) 2008

PART 1

ADDITIONAL FUNCTIONS OF THE DEPARTMENT

1. Promotion of child maintenance
2. Provision of information and guidance
3. Fees
4. Agency arrangements and provision of services
5. Contracting out
6. Supplementary provisions

PART 2

CHILD SUPPORT ETC.

Removal of compulsion for benefit claimants

7. Repeal of Articles 9 and 43

Maintenance calculations

8. Changes to the calculation of maintenance
9. Power to regulate supersession

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10. Determination of applications for a variation
11. Transfer of cases to new rules

Collection and enforcement

12. Use of deduction from earnings orders as basic method of payment
13. Deduction from earnings orders: the liable person's earnings
14. Orders for regular deductions from accounts
15. Lump sum deduction orders
16. Orders preventing avoidance
17. Administrative liability orders
18. Disqualification for holding or obtaining travel authorisation
19. Curfew orders
20. Commitment to prison
21. Disqualification for driving

Debt management powers

22. Power to treat liability as satisfied
23. Power to accept part payment of arrears in full and final satisfaction
24. Power to write off arrears
25. Transfer of arrears

Miscellaneous

26. Meaning of “child”
27. Offence of failing to notify change of address
28. Additional special case
29. Recovery of arrears from deceased's estate
30. Disclosure of information relating to family proceedings
31. Disclosure of information to credit reference agencies
32. Pilot schemes
33. Extinction of liability in respect of interest and fees
34. Use of information
35. Liable relative provisions: exclusion of parental duty to maintain

PART 3

GENERAL

36. Regulations: general
37. General interpretation
38. Minor and consequential amendments
39. Repeals

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40. Transition
41. Commencement
42. Short title

SCHEDULES

SCHEDULE 1 — CHANGES TO THE CALCULATION OF MAINTENANCE

Introductory

1. Part 1 of Schedule 1 to the Child Support Order...

Calculation by reference to gross weekly income

2. In Part 1 (under which the weekly amount of child...

Change to basic rate

3. For paragraph 2 (basic rate) substitute— (1) Subject to subparagraph (2), the basic rate is the...

Increase in flat rate and minimum amounts of liability

4. In the following provisions, for “£5” substitute “ £7 ”...

Applicable rate where non-resident parent party to other maintenance arrangement

5. (1) In paragraph 1(1) (under which the weekly rate of...

Shared care

6. In paragraph 7(2) (circumstances in which decrease for shared care...
7. In paragraph 8(2) (circumstances in which decrease for shared care...
8. (1) In paragraph 9 (regulations about shared care), the existing...

Weekly income

9. In paragraph 10 (which confers power to make regulations about...
10. In paragraph 10(3) (under which weekly income over £2,000 is...

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SCHEDULE 2 — MAINTENANCE CALCULATIONS: TRANSFER OF CASES TO NEW RULES

Power to require a decision about whether to stay in the statutory scheme

1. (1) The Department may require the interested parties in relation...
2. (1) The Department may by regulations make provision about the...
3. (1) The Department shall by regulations make such provision as...
4. If, in a particular case, any of the interested parties...

Effect on accrual of liability of exercise of power under paragraph 1.

5. (1) Where the power under paragraph 1(1) is exercised in...

Additional powers

6. (1) The Department may by regulations make such provision as...

Interpretation

7. In this Schedule— “interested parties” has such meaning as may...

SCHEDULE 3 — USE OF INFORMATION

1. (1) This paragraph applies to information which is held for...
2. (1) This paragraph applies to information which is held for...

SCHEDULE 4 — MINOR AND CONSEQUENTIAL AMENDMENTS

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

1. (1) The Child Support Order is amended as follows.

The Social Security Administration (Northern Ireland) Act 1992 (c. 8)

2. (1) The Social Administration (Northern Ireland) Act 1992 is amended...

The Deregulation and Contracting Out (Northern Ireland) Order 1996 (NI 11)

3. In Article 17 of the Deregulation and Contracting Out (Northern...

SCHEDULE 5 — REPEALS

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