

These notes refer to the Child Maintenance Act (Northern Ireland) 2008 (c.10) which received Royal Assent on 2 July 2008

Child Maintenance Act (Northern Ireland) 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Child Support etc.

Maintenance calculations

Section 10: Determination of applications for a variation

This section introduces two new paragraphs, (2A) and (2B), to Article 28D of the Child Support (Northern Ireland) Order 1991. Presently, either the parent with care or the non-resident parent may apply to the Department for a variation of maintenance. However, the Department may not necessarily proceed to make further enquiries to examine the circumstances surrounding the application. The new paragraphs will place a duty on the Department to carry out investigations where, on an application by the parent with care, it is clear that further enquiries would help the Department to decide if a variation should be given.