

*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

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2 – Child Support etc.**

#### **Debt management powers**

#### ***Section 24: Power to write off arrears***

This section inserts new *Article 38E* into the Child Support (Northern Ireland) Order 1991, enabling the Department to write off arrears in circumstances where it appears to the Department that:

- the circumstances of a case are as specified in regulations made by the Department; and
- it would be unfair or otherwise inappropriate to enforce liability for maintenance arrears (for example, if a parent with care does not wish the arrears to be pursued because of a reconciliation with the non-resident parent).

*Paragraph (2)* of *Article 38E* provides regulation-making powers to the Department with respect to its power to write off arrears.