

*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.**

##### **Miscellaneous**

##### *Section 26: Meaning of “child”*

*Section 26* replaces Article 3 of the Child Support (Northern Ireland) Order 1991 to amend the definition of a child. Paragraph (1) of Article 3 increases the potential upper age limit of a child from up to the nineteenth birthday, to up to the twentieth birthday in prescribed circumstances. It is intended that this change will only apply to applications made under the new arrangements once they are introduced.

It is intended that the regulations will operate to re-align the definition of a child with that used in child benefit legislation following the Child Benefit Act 2005. Child Benefit can now be paid up to a person’s twentieth birthday (previously it stopped at the nineteenth birthday) and it is no longer confined to those in full-time non-advanced education, but is also payable for persons undertaking “approved training”.