
Changes to legislation: Child Maintenance Act (Northern Ireland) 2008, Cross Heading: Shared care is up to date with all changes known to be in force on or before 26 July 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) View outstanding changes

SCHEDULES

SCHEDULE 1

CHANGES TO THE CALCULATION OF MAINTENANCE

Shared care

6 In paragraph 7(2) (circumstances in which decrease for shared care applies in cases where child support maintenance is payable at the basic rate or a reduced rate), for “If the care of a qualifying child is shared” substitute “ If the care of a qualifying child is, or is to be, shared ”.

Commencement Information

- I1** Sch. 1 para. 6 in operation at 10.12.2012 for specified purposes by [S.R. 2012/440](#), **arts. 2(1)(b), 3** (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 4)
- I2** Sch. 1 para. 6 in operation at 29.7.2013 for specified purposes by [S.R. 2013/201](#), **arts. 2(1)(b), 3** (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 5)
- I3** Sch. 1 para. 6 in operation at 25.11.2013 in so far as not already in operation by [S.R. 2013/276](#), **art. 2(a)** (with [arts. 3-5](#))

7 In paragraph 8(2) (circumstances in which decrease for shared care applies in cases where child support maintenance payable at a flat rate), for “If the care of a qualifying child is shared” substitute “ If the care of a qualifying child is, or is to be, shared ”

Commencement Information

- I4** Sch. 1 para. 7 in operation at 3.12.2012 for specified purposes by [S.R. 2012/423](#), **art. 2(2)(d)**
- I5** Sch. 1 para. 7 in operation at 10.12.2012 for specified purposes by [S.R. 2012/440](#), **arts. 2(1)(b), 3** (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 4)
- I6** Sch. 1 para. 7 in operation at 29.7.2013 for specified purposes by [S.R. 2013/201](#), **arts. 2(1)(b), 3** (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 5)
- I7** Sch. 1 para. 7 in operation at 25.11.2013 in so far as not already in operation by [S.R. 2013/276](#), **art. 2(a)** (with [arts. 3-5](#))

8.—(1) In paragraph 9 (regulations about shared care), the existing provision becomes sub-paragraph (1).

(2) In that sub-paragraph, before paragraph (a) insert—

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- “(za) for how it is to be determined whether the care of a qualifying child is to be shared as mentioned in paragraph 7(2);”.
- (3) In that sub-paragraph, after paragraph (b) insert—
- “(ba) for how it is to be determined how many nights count for those purposes;”.
- (4) After that sub-paragraph add—
- “(2) Regulations under sub-paragraph (1)(ba) may include provision enabling the Department to proceed for a prescribed period on the basis of a prescribed assumption.”.

Commencement Information

- I8** Sch. 1 para. 8 in operation at 3.12.2012 for specified purposes by [S.R. 2012/423](#), **art. 2(2)(d)**
- I9** Sch. 1 para. 8 in operation at 10.12.2012 for specified purposes by [S.R. 2012/440](#), **arts. 2(1)(b), 3** (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 4)
- I10** Sch. 1 para. 8 in operation at 29.7.2013 for specified purposes by [S.R. 2013/201](#), **arts. 2(1)(b), 3** (with [art. 4](#)) (as modified (30.6.2014) by [S.R. 2014/194](#), art. 5)
- I11** Sch. 1 para. 8 in operation at 25.11.2013 in so far as not already in operation by [S.R. 2013/276](#), **art. 2(a)** (with **arts. 3-5**)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SR 2012/440 art. 3 by [S.R. 2014/194 art. 4](#)
- specified provision(s) amendment to earlier commencing SR 2013/201 art. 3 by [S.R. 2014/194 art. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 2 para. 3(3) inserted by [S.I. 2015/2006 \(N.I.\) art. 126\(2\)](#)