



2008 CHAPTER 10

PART 2

CHILD SUPPORT ETC.

Debt management powers

Power to write off arrears

24 After Article 38D of the Child Support Order (inserted by section 23) insert—

“Power to write off arrears

38E.—(1) The Department may extinguish liability in respect of arrears of child support maintenance if it appears to it—

- (a) that the circumstances of the case are of a description specified in regulations made by the Department, and
- (b) that it would be unfair or otherwise inappropriate to enforce liability in respect of the arrears.

(2) The Department may by regulations make provision with respect to the exercise of the power under paragraph (1).”.

Commencement Information

- I1** [S. 24](#) in operation at 3.12.2012 for specified purposes by [S.R. 2012/423](#), [art. 2\(2\)\(b\)](#)
- I2** [S. 24](#) in operation at 10.12.2012 in so far as not already in operation by [S.R. 2012/440](#), [art. 2\(2\)\(a\)](#) (with [art. 4](#))

Changes to legislation:

Child Maintenance Act (Northern Ireland) 2008, Section 24 is up to date with all changes known to be in force on or before 25 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.

[View outstanding changes](#)

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\(2\)](#)