



## 2008 CHAPTER 10

### **PART 2**

#### **CHILD SUPPORT ETC.**

##### *Miscellaneous*

#### **Recovery of arrears from deceased's estate**

**29** After Article 40 of the Child Support Order insert—

##### **“Recovery of arrears from deceased's estate**

**40A.**—(1) The Department may by regulations make provision for the recovery from the estate of a deceased person of arrears of child support maintenance for which the deceased person was liable immediately before death.

(2) Regulations under paragraph (1) may, in particular—

- (a) make provision for arrears of child support maintenance for which a deceased person was so liable to be a debt payable by the deceased's executor or administrator out of the deceased's estate to the Department;
- (b) make provision for establishing the amount of any such arrears;
- (c) make provision about procedure in relation to claims under the regulations.

(3) Regulations under paragraph (1) may include provision for proceedings (whether by appeal or otherwise) to be instituted, continued or withdrawn by the deceased's executor or administrator.”.

**Changes to legislation:**

Child Maintenance Act (Northern Ireland) 2008, Section 29 is up to date with all changes known to be in force on or before 05 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\(2\)](#)