



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paragraph (1) may include provision for proceedings (whether by appeal or otherwise) to be instituted, continued or withdrawn by the deceased's executor or administrator.”.