
STATUTORY INSTRUMENTS

1995 No. 755

The Children (Northern Ireland) Order 1995

PART IV

SUPPORT FOR CHILDREN AND THEIR FAMILIES

Contributions towards maintenance of children looked after by an authority

Agreed contributions

40.—(1) Contributions towards a child's maintenance may only be recovered if the authority has served a notice (a "contribution notice") on the contributor specifying—

- (a) the weekly sum which the authority considers that he should contribute; and
- (b) arrangements for payment.

(2) The contribution notice must be in writing and dated.

(3) Arrangements for payment shall, in particular, include—

- (a) the date on which liability to contribute begins (which must not be earlier than the date of the notice);
- (b) the date on which liability under the notice will end (if the child has not before that date ceased to be looked after by the authority); and
- (c) the date on which the first payment is to be made.

(4) The authority may specify in a contribution notice a weekly sum which is a standard contribution determined by the authority for all children looked after by it.

(5) The authority shall not specify in a contribution notice a weekly sum greater than that which the authority considers—

- (a) it would normally be prepared to pay if it had placed a similar child with authority foster parents; and
- (b) it is reasonably practicable for the contributor to pay (having regard to his means).

(6) An authority may at any time withdraw a contribution notice (without prejudice to the authority's power to serve another).

(7) Where the authority and the contributor agree—

- (a) the sum which the contributor is to contribute; and
- (b) arrangements for payment,

(whether as specified in the contribution notice or otherwise) and the contributor notifies the authority in writing that he so agrees, the authority may recover summarily as a civil debt any contribution which is overdue and unpaid.

(8) A contributor may, by serving a notice in writing on the authority, withdraw his agreement in relation to any period of liability falling after the date of service of the notice.

(9) Paragraph (7) is without prejudice to any other method of recovery.