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STATUTORY RULES OF NORTHERN IRELAND

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**2003 No. 224**

**The Social Security and Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2003**

**Amendment of the Child Support (Maintenance Assessment Procedure) Regulations**

5.—(1) The Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992<sup>(1)</sup> shall be amended in accordance with paragraphs (2) and (3).

(2) In regulation 19<sup>(2)</sup> (supersession of decisions) after paragraph (4) there shall be inserted the following paragraph –

“(4A) A decision may be superseded by a decision made by the Department –

- (a) where an application is made on the basis that; or
- (b) acting on its own initiative where,

the decision to be superseded is a decision of an appeal tribunal or of a Child Support Commissioner that was made in accordance with Article 28ZB(4)(b) of the Order, in a case where Article 28ZB(5) of the Order applies.”.

(3) In regulation 22<sup>(3)</sup> (date from which a superseding decision takes effect) after paragraph (19) there shall be added the following paragraph –

“(20) Where a superseding decision is made in a case to which regulation 19(4A) applies that decision shall take effect from the first day of the maintenance period following the date on which the appeal tribunal or the Child Support Commissioner’s decision would have taken effect had it been decided in accordance with the determination of the Child Support Commissioner or the court in the appeal referred to in Article 28ZB(1)(b) of the Order.”.

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(1) [S.R. 1992 No. 340](#); relevant amending regulations are [S.R. 1999 No. 167](#) and [S.R. 2000 No. 215](#). *See also* regulation 29 of [S.R. 2001 No. 17](#)

(2) Regulation 19 was substituted by regulation 2(12) of [S.R. 1999 No. 167](#) and amended by regulation 4(4) of [S.R. 2000 No. 215](#)

(3) Regulation 22 was substituted by regulation 2(12) of [S.R. 1999 No. 167](#) and paragraph (19) was added by regulation 4(5) of [S.R. 2000 No. 215](#)