
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 438

The Child Support (Meaning of Child and New Calculation Rules) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2012

PART 1

General

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Child Support (Meaning of Child and New Calculation Rules) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2012 and shall come into operation as follows—

- (a) this regulation and regulation 10, on 10th December 2012;
- (b) regulations 2, 3 and 9(1), on the day on which section 26 of the Act comes into operation;
- (c) subject to sub-paragraph (d), regulations 4 to 8, 9(2) and 11, in relation to a particular case, on the day on which paragraph 2 of Schedule 1 to the Act comes into operation in relation to that type of case;
- (d) regulations 4(3) to (6) and 11, in relation to an arrears-only case, on 10th December 2012, subject to the savings in regulation 10(1).

(2) In these Regulations—

“the Act” means the Child Maintenance Act (Northern Ireland) 2008;

[^{F1}“arrears of child support maintenance” means any payment of child support maintenance—

- (a) which has become due in relation to a maintenance assessment, or a maintenance calculation made under 2003 scheme rules, and not paid; and
- (b) in respect of which the Department is arranging collection under Article 29 of the Child Support (Northern Ireland) Order 1991;]

“arrears-only case” means a case in which—

- (a) there are arrears of child support maintenance; and
- (b) there is—
 - (i) no maintenance assessment, or maintenance calculation made under the 2003 scheme rules, still in force; and
 - (ii) no application for a maintenance assessment, or a maintenance calculation falling to be made under the 2003 scheme rules, still to be determined;

“the Collection and Enforcement Regulations” mean the Child Support (Collection and Enforcement) Regulations (Northern Ireland) 1992(1).

Changes to legislation: *There are currently no known outstanding effects for the The Child Support (Meaning of Child and New Calculation Rules) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2012, Section 1. (See end of Document for details)*

(3) For the purposes of paragraph (2), a maintenance calculation is made (or will fall to be made) under the 2003 scheme rules if the amount of the periodical payments required to be paid in accordance with it is (or will be) determined otherwise than in accordance with Part 1 of Schedule 1 to the Child Support (Northern Ireland) Order 1991, as amended by Schedule 1 to the Act.

Textual Amendments

- F1** Words in [reg. 1\(2\)](#) substituted (30.9.2013) by [The Child Support \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2013 \(S.R. 2013/182\)](#), regs. 1(2), **9**

Commencement Information

- II** Reg. 1 in operation at 10.12.2012, see [reg. 1\(1\)\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Meaning of Child and New Calculation Rules) (Consequential and Miscellaneous Amendments) Regulations (Northern Ireland) 2012, Section 1.