
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 196

The Civil Legal Services (Financial)
Regulations (Northern Ireland) 2015

PART 2

DETERMINATIONS IN RESPECT OF AN
INDIVIDUAL'S FINANCIAL RESOURCES

CHAPTER 4

CALCULATION OF INCOME – REPRESENTATION (HIGHER COURTS)

Deductions – maintenance of partner and dependants

39.—(1) Subject to paragraph (2), in calculating the disposable income of the person concerned there shall be a deduction at or equivalent to the following rates, as they applied at the beginning of the period of calculation referred to in regulation 12(3)—

- (a) in respect of the maintenance of their partner, the difference between the income support allowance for a couple both aged not less than 18 (which is specified in column 2 of paragraph 1(3)(d) of Part 1 of the Schedule) and the allowance for a single person aged not less than 25 (which is specified in column 2 of paragraph 1(1)(e) of that Part of the Schedule); and
- (b) in respect of the maintenance of any dependant child or dependant relative, where such persons are members of their household—
 - (i) in the case of a dependant child or a dependant relative aged 18 or under, at a rate equivalent to the amount specified for the time being in paragraph 2 of Part 1 of the Schedule appropriate to the age of the child or relative; and
 - (ii) in the case of a dependant child or a dependant relative aged 19 or over, at a rate equivalent to the amount which would have been specified for the time being in accordance with head (i) immediately before they attained the age of 19.

(2) The assessing authority may reduce any rate provided by virtue of paragraph (1) by taking into account the income and other resources of the dependant child or dependant relative to such extent as appears to the assessing authority to be equitable.

(3) In ascertaining whether a child is a dependant child or whether a person is a dependant relative for the purposes of this regulation, regard shall be had to their income and other resources.

(4) For the purposes of this regulation, “the Schedule” means Schedule 2 to the Income Support (General) Regulations (Northern Ireland) 1987^{M1}.

Marginal Citations

M1 S.R. 1987 No. 459

Changes to legislation:

The Civil Legal Services (Financial) Regulations (Northern Ireland) 2015, Section 39 is up to date with all changes known to be in force on or before 26 May 2024. 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 the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- reg. 4(1)(n)(o) inserted by [2023 c. 37 s. 56\(15\)\(a\)](#)