
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 18

The Child Support (Maintenance Calculations and Special Cases) Regulations (Northern Ireland) 2001

Part II

Calculation of Child Support Maintenance

Flat rate

4.—(1) The following benefits, pensions and allowances are prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Order—

- (a) under the Contributions and Benefits Act—
 - (i) bereavement allowance under section 39B(1);
 - (ii) category A retirement pension under section 44(2);
 - (iii) category B retirement pension under section 48C(3);
 - (iv) category C and category D retirement pensions under section 78(4);
 - (v) incapacity benefit under section 30A(5);
 - (vi) invalid care allowance under section 70(6);
 - (vii) maternity allowance under section 35(7);
 - (viii) severe disablement allowance under section 68(8);
 - (ix) industrial injuries benefit under section 94;
 - (x) widowed mother's allowance under section 37;
 - (xi) widowed parent's allowance under section 39A(9), and
 - (xii) widow's pension under section 38;
- (b) contribution-based jobseeker's allowance under Article 3 of the Jobseekers Order(10);
- (c) a social security benefit paid by a country other than the United Kingdom;

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- (1) Section 39B was inserted by Article 51 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I.1999/3147 (N.I. 11))
 - (2) Section 44 was amended by paragraph 11 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 and Article 125(2) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))
 - (3) Section 48C was inserted by paragraph 3(1) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 and amended by paragraph 6 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999
 - (4) Section 78 was amended by paragraph 14 of Schedule 2 to the Pensions (Northern Ireland) Order 1995
 - (5) Section 30A was inserted by Article 3(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994
 - (6) Section 70 was amended by regulation 2(3) of S.R. 1994 No. 370
 - (7) Section 35 was amended by Article 4(a) of the Still-Birth (Definition) (Northern Ireland) Order 1992 (S.I. 1992/1310 (N.I. 10)), regulation 2 of S.R. 1994 No. 176 and Article 50 of the Welfare Reform and Pensions (Northern Ireland) Order 1999
 - (8) Section 68 is repealed prospectively with savings by Article 62 of, and Part IV of Schedule 10 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999
 - (9) Section 39A is inserted prospectively by Article 52(2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999
 - (10) Article 3 was amended by paragraph 3 of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

- (d) a training allowance (other than a relevant training scheme); and
 - (e) a war disablement pension or war widow's pension within the meaning of section 146(2) of the Contributions and Benefits Act or a pension which is analogous to such a pension paid by the government of a country outside the United Kingdom.
- (2) The benefits prescribed for the purposes of paragraph 4(1)(c) of Schedule 1 to the Order are—
- (a) income support under section 123 of the Contributions and Benefits Act⁽¹¹⁾;
 - (b) an income-based jobseeker's allowance under Article 3 of the Jobseekers Order.
- (3) Where the non-resident parent is liable to pay a flat rate by virtue of paragraph 4(2) of Schedule 1 to the Order—
- (a) if he has one partner, then the amount payable by the non-resident parent shall be half the flat rate; and
 - (b) if he has more than one partner, then the amount payable by the non-resident parent shall be the result of apportioning the flat rate equally among him and his partners.

⁽¹¹⁾ Section 123 was amended by paragraph 13 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995