
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 20

The Child Support (Variations)
Regulations (Northern Ireland) 2001

Part II

Application and Determination Procedure

Rejection of an application following preliminary consideration

6.—(1) The Department may, on completing the preliminary consideration, reject an application for a variation (and proceed to make its decision on the application for a maintenance calculation, or to revise or supersede a decision under Article 18 or 19 of the Order, without the variation, or not to revise or supersede a decision under Article 18 or 19 of the Order, as the case may be,) if one of the circumstances in paragraph (2) applies.

(2) The circumstances are—

- (a) the application has been made in one of the circumstances to which regulation 7 applies;
- (b) the application is made—
 - (i) on a ground in paragraph 2 of Schedule 4B to the Order (special expenses) and the amount of the special expenses, or the aggregate amount of those expenses, as the case may be, does not exceed the relevant threshold provided for in regulation 15;
 - (ii) on a ground in paragraph 3 of that Schedule (property or capital transfers) and the value of the property or capital transferred does not exceed the minimum value in regulation 16(4), or
 - (iii) on a ground referred to in regulation 18 (assets) and the value of the assets does not exceed the figure in regulation 18(3)(a), or on a ground in regulation 19(1) (income not taken into account) and the amount of the income does not exceed the figure in regulation 19(2);
- (c) a request under regulation 8 has not been complied with by the applicant and the Department is not able to determine the application without the information requested; or
- (d) the Department is satisfied, on the information or evidence available to it, that the application would not be agreed to, including where, although a ground is stated, the facts alleged in the application would not bring the case within the prescription of the relevant ground in these Regulations.