
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 427

**The Child Support Maintenance Calculation
Regulations (Northern Ireland) 2012**

PART 5

VARIATIONS

CHAPTER 2

GROUNDS FOR VARIATION: SPECIAL EXPENSES

Contact costs

62.—(1) Subject to the following provisions of this regulation and regulation 67, the following costs incurred or reasonably expected to be incurred by the non-resident parent, whether in respect of the non-resident parent or the qualifying child or both, for the purpose of maintaining contact with that child, constitute special expenses for the purposes of paragraph 2(2) of Schedule 4B(1)—

- (a) the cost of purchasing a ticket for travel;
- (b) the cost of purchasing fuel where travel is by a vehicle which is not carrying fare-paying passengers;
- (c) the taxi fare for a journey or part of a journey where the Department is satisfied that the disability or long-term illness of the non-resident parent or the qualifying child makes it impracticable for any other form of transport to be used for that journey or part of that journey;
- (d) the cost of car hire where the cost of the journey would be less in total than it would be if public transport or taxis or a combination of both were used;
- (e) where the Department considers a return journey on the same day is impracticable, or the established or intended pattern of contact with the child includes contact over two or more consecutive days, the cost of the non-resident parent's or, as the case may be, the child's accommodation for the number of nights the Department considers appropriate in the circumstances of the case; and
- (f) any minor incidental costs such as tolls or fees payable for the use of a particular road or bridge incurred in connection with such travel, including breakfast where it is included as part of the accommodation cost referred to in sub-paragraph (e).

(2) The costs to which paragraph (1) applies include the cost of a person to travel with the non-resident parent or the qualifying child, if the Department is satisfied that the presence of another person on the journey, or part of the journey, is necessary including, but not limited to, where it is necessary because of the young age of the qualifying child or the disability or long-term illness of the non-resident parent or that child.

(1) Schedule 4B was inserted by section 3(3) of the Child Support (Northern Ireland) Order 1995 and is substituted by section 6(2) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Child Support Maintenance Calculation Regulations (Northern Ireland) 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) The costs referred to in paragraphs (1) and (2)—
- (a) are expenses for the purposes of paragraph 2(2) of Schedule 4B only to the extent that they are—
 - (i) incurred in accordance with a set pattern as to frequency of contact between the non-resident parent and the qualifying child which has been established at or, where at the time of the variation application it has ceased, which had been established before, the time that the variation application is made, or
 - (ii) based on an intended set pattern for such contact which the Department is satisfied has been agreed between the non-resident parent and the person with care of the qualifying child; and
 - (b) are—
 - (i) where sub-paragraph (a)(i) applies and such contact is continuing, calculated as an average weekly amount based on the expenses actually incurred during the period of 12 months, or such lesser period as the Department may consider appropriate in the circumstances of the case, ending immediately before the day from which a variation agreed on this ground would take effect,
 - (ii) where sub-paragraph (a)(i) applies and such contact has ceased, calculated as an average weekly amount based on the expenses actually incurred during the period from the day from which a variation agreed on this ground would take effect to the last day on which the variation would take effect, or
 - (iii) where sub-paragraph (a)(ii) applies, calculated as an average weekly amount based on anticipated costs during such period as the Department considers appropriate.
- (4) Where, at the date on which the variation application is made, the non-resident parent has received, is in receipt of, or will receive, any financial assistance, other than a loan, from any source to meet, wholly or in part, the costs of maintaining contact with a child as referred to in paragraph (1), only the amount of the costs referred to in that paragraph, after the deduction of the financial assistance, constitutes special expenses for the purposes of paragraph 2(2) of Schedule 4B.

Commencement Information

II Reg. 62 comes into force in accordance with reg. 1

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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):

- Pt. 3 Ch. 5A added by [S.R. 2015/116 reg. 8\(3\)](#)
- Sch. inserted by [S.R. 2022/178 art. 5\(7\)](#)
- reg. 2A added by [S.R. 2022/178 art. 5\(3\)](#)
- reg. 7(3) added by [S.R. 2022/178 art. 5\(4\)](#)
- reg. 11(3)-(9) added by [S.R. 2014/193 reg. 4\(2\)\(c\)](#)
- reg. 12(1) reg. 12 renumbered as reg. 12(1) by [S.R. 2014/193 reg. 4\(3\)\(a\)](#)
- reg. 12(1) words substituted by [S.R. 2014/193 reg. 4\(3\)\(b\)](#)
- reg. 12(2) added by [S.R. 2014/193 reg. 4\(3\)\(c\)](#)
- reg. 12(2)(a) word omitted by [S.R. 2022/178 art. 5\(6\)\(a\)](#)
- reg. 12(2)(a) words substituted by [S.R. 2022/178 art. 5\(6\)\(c\)](#)
- reg. 12(2)(b) words substituted by [S.R. 2022/178 art. 5\(6\)\(c\)](#)
- reg. 12(2)(c) and word inserted by [S.R. 2022/178 art. 5\(6\)\(b\)](#)
- reg. 14(3A) inserted by [S.R. 2014/193 reg. 4\(4\)](#)
- reg. 14A inserted by [S.R. 2016/208 reg. 5\(2\)](#)
- reg. 33(2)(c) and word added by [S.R. 2013/182 reg. 8\(2\)\(a\)\(ii\)](#)
- reg. 33(2A) inserted by [S.R. 2013/182 reg. 8\(2\)\(b\)](#)
- reg. 43(1)(i) and word inserted by [S.R. 2015/411 art. 27\(b\)](#)
- reg. 43(1)(i) word inserted by [S.I. 2023/1218 art. 47\(b\)](#)
- reg. 43(1)(j) inserted by [S.I. 2023/1218 art. 47\(c\)](#)
- reg. 43(2)(e) inserted by [S.R. 2016/236 reg. 41\(3\)\(a\)\(iii\)](#) (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 43(5) inserted by [S.R. 2016/236 reg. 41\(3\)\(b\)](#) (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 44(1)(c)(iii)(iv) inserted by [S.R. 2016/236 reg. 41\(4\)\(b\)](#) (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 49(4) added by [S.R. 2013/182 reg. 8\(4\)](#)
- reg. 53(1) reg. 53 renumbered as reg. 53(1) by [S.R. 2013/182 reg. 8\(5\)](#)
- reg. 53(2) added by [S.R. 2013/182 reg. 8\(5\)](#)
- reg. 63(2)(a)(v) and word inserted by [S.I. 2022/177 art. 27\(2\)\(c\)](#)
- reg. 63(2)(a)(v) words substituted by [S.I. 2022/530 art. 12\(2\)](#)
- reg. 63(2)(a)(iv) and word inserted by [S.R. 2016/228 reg. 39\(c\)](#)
- reg. 63(2)(f) added by [S.R. 2016/228 reg. 39\(d\)](#)
- reg. 63(2)(g) inserted by [S.I. 2022/177 art. 27\(2\)\(d\)](#)
- reg. 63(2)(aa) inserted by [S.I. 2013/3021 art. 31\(2\)\(b\)](#)
- reg. 63(2)(ab) inserted by [S.I. 2021/786 art. 19\(2\)\(c\)](#)
- reg. 68(5)(c) and preceding word inserted by [S.R. 2013/190 reg. 6\(3\)\(a\)](#)
- reg. 68(8)(9) added by [S.R. 2013/190 reg. 6\(3\)\(b\)](#)
- reg. 68A inserted by [S.R. 2018/210 reg. 2\(2\)](#)
- reg. 68A inserted by [S.R. 2019/116 reg. 2\(2\)](#)
- reg. 68A inserted by [S.R. 2019/221 reg. 2\(2\)](#)
- reg. 73(1A) inserted by [S.R. 2013/190 reg. 6\(5\)](#)
- reg. 75(1) reg. 75 renumbered as reg. 75(1) by [S.R. 2021/188 reg. 2\(2\)\(a\)](#)
- reg. 75(1) words substituted by [S.R. 2021/188 reg. 2\(2\)\(b\)](#)
- reg. 75(2)-(4) inserted by [S.R. 2021/188 reg. 2\(2\)\(c\)](#)

- reg. 76(a) words in reg. 76 renumbered as reg. 76(a) by [S.R. 2013/182 reg. 8\(7\)](#)
- reg. 76(b) and word added by [S.R. 2013/182 reg. 8\(7\)](#)