

These notes refer to the Child Maintenance Act (Northern Ireland) 2008 (c.10) which received Royal Assent on 2 July 2008

Child Maintenance Act (Northern Ireland) 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 – Child Support etc.

Removal of compulsion for benefit claimants

Section 7: Repeal of Articles 9 and 43

Section 7 repeals Articles 9 and 43 of the Child Support (Northern Ireland) Order 1991.

Article 9 of the Child Support (Northern Ireland) Order 1991 provides that parents with care who make a claim for, or are in receipt of, prescribed benefits, may be treated as making an application for child support maintenance. *Paragraph (a)* of *section 7* removes this power.

Article 43 of the Child Support (Northern Ireland) Order 1991 gives power to the Department to reduce the amount of benefit parents with care receive where they are treated as having applied for a maintenance calculation under Article 9 of the Child Support (Northern Ireland) Order 1991, and they choose to opt out of the scheme without good cause for doing so. *Paragraph (b)* of *section 7* removes this power, which will become redundant when Article 9 is repealed.