

## STATUTORY INSTRUMENTS

# 1991 No. 2628

## The Child Support (Northern Ireland) Order 1991

### *The basic principles*

#### **The duty to maintain**

5.—(1) For the purposes of this Order, each parent of a qualifying child is responsible for maintaining him.

(2) For the purposes of this Order, [<sup>F1</sup>an absent parent] [<sup>F2</sup>a non-resident parent] shall be taken to have met his responsibility to maintain any qualifying child of his by making periodical payments of maintenance with respect to the child of such amount, and at such intervals, as may be determined in accordance with the provisions of this Order.

(3) Where a [<sup>F3</sup>maintenance assessment] [<sup>F4</sup>maintenance calculation] made under this Order requires the making of periodical payments, it shall be the duty of the [<sup>F5</sup>absent parent] [<sup>F6</sup>non-resident parent] with respect to whom the [<sup>F7</sup>assessment] [<sup>F8</sup>calculation] was made to make those payments.

- F1** Words in art. 5(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F2** Words in art. 5(2) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F3** Words in art. 5(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F4** Words in art. 5(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(a)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F5** Words in art. 5(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F6** Words in art. 5(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), ss. 25, 68(2), **Sch. 3 para. 11**; S.R. 2003/53, art. 3(1), **Sch.**
- F7** Word in art. 5(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**
- F8** Word in art. 5(3) substituted (3.3.2003 for certain purposes otherwise prosp.) by Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4), **ss. 1(2)(b)**, 68(2); S.R. 2003/53, art. 3(1), **Sch.**

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Child Support (Northern Ireland) Order 1991. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order applied by [S.R. 2014/191 reg. 7\(1\)](#)
- Order applied in part (with modifications) by [S.R. 2010/312 reg. 16Sch. 2](#)
- Order power to apply (with modifications) conferred by [2008 c. 10 \(N.I.\) s. 3\(4\)](#)
- Order transfer of functions by [S.I. 2010/976 Sch. 17 para. 42](#)
- Order words substituted by [2009 c. 1 \(N.I.\) Sch. 6 para. 1\(1\)\(a\)](#)
- Order words substituted by [2009 c. 1 \(N.I.\) Sch. 6 para. 1\(1\)\(b\)](#)

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

- Sch. 1 para. 9(1) Sch. 1 para. 9 renumbered as Sch. 1 para. 9(1) by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(1\)](#)
- Sch. 1 para. 9(2) added by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(4\)](#)
- Sch. 1 para. 5A and cross-heading inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 5\(2\)](#)
- Sch. 1 para. 9(1)(ba) inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(3\)](#)
- Sch. 1 para. 9(1)(za) inserted by [2008 c. 10 \(N.I.\) Sch. 1 para. 8\(2\)](#)
- Sch. 1 para. 5A(2) modified by [S.R. 2012/428 reg. 3](#)
- Sch. 1 para. 5A(2) modified by [S.R. 2013/190 reg. 2](#)
- Sch. 1 Pt. 1 words substituted by [2008 c. 10 \(N.I.\) Sch. 1 para. 2](#)
- Sch. 1 Pt. 1 para. 10C(5A) omitted by [S.I. 2019/1514 reg. 64\(5\)\(b\)](#)
- Sch. 1 Pt. 1 para. 10C(5) substituted for Sch. 1 Pt. 1 para. 10C(5)(6) by [S.I. 2019/1514 reg. 64\(4\)](#)
- Sch. 1 Pt. 1 para. 6(5)(b)(i)(ii) substituted for Sch. 1 Pt. 1 para. 6(5)(b)(i)-(iii) by [S.I. 2019/1514 reg. 64\(5\)\(a\)](#)
- Sch. 1 Pt. 1 para. 5(4) words inserted by [2007 c. 2 \(N.I.\) Sch. 3 para. 2\(8\)](#)
- art. 2(3) added by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(3\)](#)
- art. 4(4)(ba) inserted by [2022 c. 18 \(N.I.\) Sch. 3 para. 16](#)
- art. 7(2A) inserted by [S.I. 2015/2006 \(N.I.\) art. 127\(2\)\(b\)](#)
- art. 7(3A)-(3C) inserted by [2023 c. 24 s. 4\(2\)\(a\)](#)
- art. 7(4)(d) and word inserted by [2023 c. 24 s. 4\(2\)\(b\)\(ii\)](#)
- art. 11(2A) inserted by [S.I. 2015/2006 \(N.I.\) art. 126\(1\)](#)
- art. 11(6)(a)(b) and word repealed by [2008 c. 10 \(N.I.\) Sch. 5](#)
- art. 11A inserted by [S.I. 2015/2006 \(N.I.\) art. 128](#)
- art. 16A(3A) inserted by [2008 c. 10 \(N.I.\) s. 27\(1\)](#)
- art. 16A(3A) substituted by [2010 c. 13 \(N.I.\) s. 32\(2\)](#)
- art. 16A(6) added by [2010 c. 13 \(N.I.\) s. 32\(3\)](#)
- art. 19(1)(c) repealed by [2008 c. 10 \(N.I.\) Sch. 5](#)
- art. 22(1)(ba) inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(5\)](#)
- art. 22(2)(aa) inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(6\)](#)
- art. 22(2A)-(2C) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 11 para. 2](#)
- art. 22(3A)-(3C) inserted by [S.I. 2015/2006 \(N.I.\) Sch. 11 para. 3](#)
- art. 22(5A) inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(7\)](#)
- art. 22(7A) inserted by [2008 c. 10 \(N.I.\) Sch. 4 para. 1\(8\)](#)
- art. 27(2)(b) words substituted by [S.I. 2019/1514 reg. 64\(2\)](#)
- art. 27(2)(b) words substituted by [S.I. 2019/1514 reg. 64\(2\)](#)
- art. 28D(2A)(2B) inserted by [2008 c. 10 \(N.I.\) s. 10\(2\)](#)
- art. 28F(4)(a) words repealed by [2008 c. 10 \(N.I.\) Sch. 5](#)
- art. 29(3)(c)(ca) substituted for art. 29(3)(c) by [2010 c. 13 \(N.I.\) s. 31\(2\)](#)
- art. 29(3A) inserted by [2010 c. 13 \(N.I.\) s. 31\(3\)](#)
- art. 29(4)-(7) added by [2008 c. 10 \(N.I.\) s. 12](#)

- art. 29(4)-(7) excluded by S.R. 2016/390 reg. 6(1)
- art. 31(8)(9) substituted for art. 31(8) by 2008 c. 10 (N.I.) s. 13
- art. 32A-32D inserted by 2008 c. 10 (N.I.) s. 14
- art. 32E-32K inserted by 2008 c. 10 (N.I.) s. 15
- art. 32G(1) restricted by SR 1992/390 reg. 25N (as inserted) by S.R. 2009/286 reg. 2
- art. 32H(2)(b) restricted by SR 1992/390 reg. 25N (as inserted) by S.R. 2009/286 reg. 2
- art. 32L inserted by 2008 c. 10 (N.I.) s. 16
- art. 32L(5) words inserted by S.I. 2019/1514 reg. 64(3)
- art. 32M32N inserted by 2008 c. 10 (N.I.) s. 17
- art. 36B-36F inserted by 2008 c. 10 (N.I.) s. 18
- art. 36G-36O inserted by 2008 c. 10 (N.I.) s. 19
- art. 37(2A)-(2C) inserted by 2008 c. 10 (N.I.) s. 20(1)
- art. 37(10)-(10C) substituted for art. 37(10) by 2008 c. 10 (N.I.) s. 20(2)
- art. 37(12) added by 2008 c. 10 (N.I.) Sch. 4 para. 1(14)
- art. 37A(A1)-(A4)(1) substituted for art. 37A(1) by 2008 c. 10 (N.I.) s. 21(1)
- art. 37A(10)-(10C) substituted for art. 37A(10) by 2008 c. 10 (N.I.) s. 21(2)
- art. 37A(12) added by 2008 c. 10 (N.I.) Sch. 4 para. 1(17)
- art. 38A(5)(c)(d) repealed by 2008 c. 10 (N.I.) Sch. 4 para. 1(29)(a)
- art. 38C inserted by 2008 c. 10 (N.I.) s. 22
- art. 38D inserted by 2008 c. 10 (N.I.) s. 23
- art. 38E inserted by 2008 c. 10 (N.I.) s. 24
- art. 39(2)(g) added by 2008 c. 10 (N.I.) s. 28
- art. 40A inserted by 2008 c. 10 (N.I.) s. 29
- art. 41(4)(5) inserted by S.I. 2011/1484 Sch. 7 para. 22
- art. 41(4) omitted by S.I. 2019/519 Sch. para. 20(a)
- art. 41(5) omitted by S.I. 2019/519 Sch. para. 20(b)
- art. 45A inserted by 2008 c. 10 (N.I.) s. 25
- art. 45B45C inserted by 2008 c. 10 (N.I.) s. 30
- art. 45D inserted by 2008 c. 10 (N.I.) s. 31
- art. 46(1A)-(1C) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(19)
- art. 47A inserted by 2008 c. 10 (N.I.) s. 32
- art. 47A(6) inserted by S.I. 2015/2006 (N.I.) Sch. 11 para. 4
- art. 48(2B) inserted by 2008 c. 10 (N.I.) Sch. 4 para. 1(22)