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STATUTORY INSTRUMENTS

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**1995 No. 2702**

**The Child Support (Northern Ireland) Order 1995**

*Miscellaneous*

**Compensation payments**

17.—(1) The Department may by regulations make provision for the payment by it, in prescribed circumstances and to or in respect of qualifying persons, of sums by way of compensation or partial compensation for any reduction which is attributable to one or more prescribed changes in child support legislation.

(2) For the purposes of this Article—

“child support legislation” means—

- (a) the provision of the Order of 1991 and this Order;
- (b) any provision made under that Order or this Order; and
- (c) such other provisions (if any) of primary or subordinate legislation with respect to child support maintenance as may be prescribed;

“compensation payment” means any sum payable under the regulations;

“qualifying person” means a person with care—

- (a) with respect to whom a maintenance assessment (“the revised assessment”) is in force or was made after the change or changes took effect;
- (b) to or in respect of whom family credit or disability working allowance is or has been paid; and
- (c) with respect to whom an earlier maintenance assessment was in force at the relevant time;

“reduction” means a reduction in the amount of child support maintenance payable under the revised assessment when compared with the amount payable under the earlier assessment; and

“relevant time” has such meaning as may be prescribed.

(3) The regulations may include provision—

- (a) as to the calculation of the amount of any compensation payment;
- (b) for any compensation payment to be made in instalments or as a lump sum;
- (c) as to the manner in which any compensation payment is to be made;
- (d) for a compensation payment which would otherwise be made under the regulations not to be made if the amount of the payment would be less than the prescribed minimum.

(4) The Department may by order provide that, for the purposes of specified provisions of the Social Security Administration (Northern Ireland) Act 1992(1), a compensation payment is to be treated as if it were a payment of a benefit (as defined by section 167(1) of that Act) or of a benefit of a prescribed kind.

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**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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