
STATUTORY RULES OF NORTHERN IRELAND

1996 No. 622

The Social Security (Child Maintenance Bonus) Regulations (Northern Ireland) 1996

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Social Security (Child Maintenance Bonus) Regulations (Northern Ireland) 1996 and shall come into operation on 7th April 1997.

(2) In these Regulations—

“the Order” means the Child Support (Northern Ireland) Order 1995;

“the Jobseekers Order” means the Jobseekers (Northern Ireland) Order 1995(1);

“applicant”, except where regulation 8 (retirement) applies, means the person claiming the bonus;

“appropriate office” means an office of the Department;

“benefit week”—

(a) where the relevant benefit is income support, has the meaning it has in the Income Support (General) Regulations (Northern Ireland) 1987(2) by virtue of regulation 2(1) of those Regulations; or

(b) where the relevant benefit is a jobseeker’s allowance, has the meaning it has in the Jobseeker’s Allowance Regulations (Northern Ireland) 1996(3) by virtue of regulation 1(2) of those Regulations;

“bonus” means a child maintenance bonus;

“bonus period” comprises the days specified in regulation 4;

“child maintenance” means any of the following payments made on or after 7th April 1997—

(a) child support maintenance;

(b) maintenance paid by an absent parent to a parent with care of a qualifying child under an agreement (whether enforceable or not) between them or by virtue of an order of a court;

(c) maintenance deducted from any benefit payable to an absent parent who is liable to maintain a qualifying child,

but does not include any maintenance paid in respect of a former partner;

“couple” means a married or an unmarried couple;

“jobseeker’s allowance” means an income-based jobseeker’s allowance as defined in Article 3(4) of the Jobseekers Order;

“partner” means a person, whether an applicant or otherwise,—

(a) is a member of a married or unmarried couple, the other member of that couple;

(1) S.I. 1995/2705 (N.I. 15)

(2) S.R. 1987 No. 459

(3) S.R. 1996 No. 198

- (b) is married polygamously to two or more members of his household, any such member; or
- (c) is a member of a marriage entered into under a law which permits polygamy and either party to the marriage has for the time being any spouse additional to the other party, the other party;

“work condition” means the condition specified at regulation 3(1)(c).

(3) Expressions used in these Regulations and in the Child Support (Northern Ireland) Order 1991⁽⁴⁾ have the same meaning in these Regulations as they have in that Order.

(4) For the purposes of these Regulations, the qualifying benefits are a jobseeker’s allowance and income support.

(5) In these Regulations, where—

- (a) a payment is made in any benefit week by an absent parent to a person with care;
- (b) the absent parent pays both child maintenance and maintenance for the person with care; and

(c) there is no evidence as to which form of maintenance that payment is intended to represent, the first £5 of any such payment or, where the amount of payment is less than £5, that amount shall be treated as if it was a payment of child maintenance.

(6) For the purposes of these Regulations, child maintenance is treated as payable where it is paid under an agreement which is not enforceable.

(7) Where a person is entitled to a qualifying benefit on any day but no qualifying benefit is payable to him in respect of that day, that person shall be treated for the purposes of these Regulations as not entitled to a qualifying benefit for that day.

(8) The Interpretation Act (Northern Ireland) 1954⁽⁵⁾ shall apply to these Regulations as it applies to a Measure of the Assembly.

(4) S.I. 1991/2628 (N.I. 23)

(5) 1954 c. 33 (N.I.)