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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 18**

**The Child Support (Maintenance Calculations and Special Cases) Regulations (Northern Ireland) 2001**

**Part II**

**Calculation of Child Support Maintenance**

**Flat rate**

4.—(1) The following benefits, pensions and allowances are prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Order—

- (a) under the Contributions and Benefits Act—
  - (i) bereavement allowance under section 39B(1);
  - (ii) category A retirement pension under section 44(2);
  - (iii) category B retirement pension under section 48C(3);
  - (iv) category C and category D retirement pensions under section 78(4);
  - (v) incapacity benefit under section 30A(5);
  - (vi) invalid care allowance under section 70(6);
  - (vii) maternity allowance under section 35(7);
  - (viii) severe disablement allowance under section 68(8);
  - (ix) industrial injuries benefit under section 94;
  - (x) widowed mother's allowance under section 37;
  - (xi) widowed parent's allowance under section 39A(9), and
  - (xii) widow's pension under section 38;
- (b) contribution-based jobseeker's allowance under Article 3 of the Jobseekers Order(10);
- (c) a social security benefit paid by a country other than the United Kingdom;

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- (1) Section 39B was inserted by Article 51 of the Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))
  - (2) Section 44 was amended by paragraph 11 of Schedule 1 to the Social Security (Incapacity for Work) (Northern Ireland) Order 1994 and Article 125(2) of the Pensions (Northern Ireland) Order 1995 (S.I. 1995/3213 (N.I. 22))
  - (3) Section 48C was inserted by paragraph 3(1) of Schedule 2 to the Pensions (Northern Ireland) Order 1995 and amended by paragraph 6 of Schedule 8 to the Welfare Reform and Pensions (Northern Ireland) Order 1999
  - (4) Section 78 was amended by paragraph 14 of Schedule 2 to the Pensions (Northern Ireland) Order 1995
  - (5) Section 30A was inserted by Article 3(1) of the Social Security (Incapacity for Work) (Northern Ireland) Order 1994
  - (6) Section 70 was amended by regulation 2(3) of S.R. 1994 No. 370
  - (7) Section 35 was amended by Article 4(a) of the Still-Birth (Definition) (Northern Ireland) Order 1992 (S.I. 1992/1310 (N.I. 10)), regulation 2 of S.R. 1994 No. 176 and Article 50 of the Welfare Reform and Pensions (Northern Ireland) Order 1999
  - (8) Section 68 is repealed prospectively with savings by Article 62 of, and Part IV of Schedule 10 to, the Welfare Reform and Pensions (Northern Ireland) Order 1999
  - (9) Section 39A is inserted prospectively by Article 52(2) of the Welfare Reform and Pensions (Northern Ireland) Order 1999
  - (10) Article 3 was amended by paragraph 3 of Schedule 7 to the Welfare Reform and Pensions (Northern Ireland) Order 1999

- (d) a training allowance (other than a relevant training scheme); and
  - (e) a war disablement pension or war widow's pension within the meaning of section 146(2) of the Contributions and Benefits Act or a pension which is analogous to such a pension paid by the government of a country outside the United Kingdom.
- (2) The benefits prescribed for the purposes of paragraph 4(1)(c) of Schedule 1 to the Order are—
- (a) income support under section 123 of the Contributions and Benefits Act<sup>(11)</sup>;
  - (b) an income-based jobseeker's allowance under Article 3 of the Jobseekers Order.
- (3) Where the non-resident parent is liable to pay a flat rate by virtue of paragraph 4(2) of Schedule 1 to the Order—
- (a) if he has one partner, then the amount payable by the non-resident parent shall be half the flat rate; and
  - (b) if he has more than one partner, then the amount payable by the non-resident parent shall be the result of apportioning the flat rate equally among him and his partners.

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<sup>(11)</sup> Section 123 was amended by paragraph 13 of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995