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STATUTORY RULES OF NORTHERN IRELAND

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**2001 No. 20**

The Child Support (Variations)  
Regulations (Northern Ireland) 2001

Part I

General

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Child Support (Variations) Regulations (Northern Ireland) 2001 and shall come into operation in relation to a particular case on the day on which section 5 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000<sup>(1)</sup> is commenced in relation to that type of case.

(2) In these Regulations—

“the Order” means the Child Support (Northern Ireland) Order 1991;

“Contributions and Benefits Act” means the Social Security Contributions and Benefits (Northern Ireland) Act 1992<sup>(2)</sup>;

“capped amount” means the amount of income for the purposes of paragraph 10(3) of Schedule 1 to the Order<sup>(3)</sup>;

“couple” has the same meaning as in paragraph 10C(5) of Schedule 1 to the Order;

“date of notification” means the date upon which notification is given in person or communicated by telephone to the recipient or, where this is not possible, the date of posting;

“date of receipt” means the day on which the information or document is actually received;

“home” has the meaning given in regulation 1(2) of the Maintenance Calculations and Special Cases Regulations;

“Maintenance Calculation Procedure Regulations” means the Child Support (Maintenance Calculation Procedure) Regulations (Northern Ireland) 2001<sup>(4)</sup>;

“Maintenance Calculations and Special Cases Regulations” means the Child Support (Maintenance Calculations and Special Cases) Regulations (Northern Ireland) 2001<sup>(5)</sup>;

“qualifying child” means the child with respect to whom the maintenance calculation falls to be made;

“relevant person” means—

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(1) 2000 c. 4 (N.I.)

(2) 1992 c. 7

(3) Paragraphs 1 to 10C were substituted by section 1(3) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000

(4) S.R. 2001 No. 17

(5) S.R. 2001 No. 18

- (a) a non-resident parent, or a parent treated as a non-resident parent under regulation 8 of the Maintenance Calculations and Special Cases Regulations, whose liability to pay child support maintenance may be affected by any variation agreed;
  - (b) a person with care, where the amount of child support maintenance payable by virtue of a calculation relevant to that person with care may be affected by any variation agreed;
- “the Service Pensions Order” means the Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 1983(6); and
- “Transitional Regulations” means the Child Support (Transitional Provisions) Regulations (Northern Ireland) 2001(7).

### **Documents**

- 2.—(1) Except where otherwise stated, where—
- (a) any document is given or sent to the Department, that document shall be treated as having been so given or sent on the date of receipt by the Department; and
  - (b) any document is given or sent to any other person, that document shall, if sent by post to that person’s last known or notified address, be treated as having been given or sent on the date that it is posted.

### **Determination of amounts**

- 3.—(1) Where any amount is required to be determined for the purposes of these Regulations, it shall be determined as a weekly amount and, except where the context otherwise requires, any reference to such an amount shall be construed accordingly.
- (2) Where any calculation made under these Regulations results in a fraction of a penny, that fraction shall be treated as a penny if it is either one half or exceeds one half and shall be otherwise disregarded.

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(6) S.I.1983/883  
(7) S.R. 2001 No. 19