
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations further amend the Social Security and Child Support (Decisions and Appeals) Regulations (Northern Ireland) 1999 (“the principal Regulations”) to provide for the decision-making process under the Child Support (Northern Ireland) Order 1991 (“the Child Support Order”) consequent upon the introduction of changes to the child support system made by the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (“the Act”).

Regulation 2 inserts regulations into the principal Regulations making provision for—

the revision of child support decisions and the date from which such decisions take effect (paragraphs (4) and (6));

the supersession of child support decisions, the date from which such decisions take effect and related procedural rules (paragraphs (7) and (8));

the Department to request further information or evidence and invite representations where it has to make a decision which is connected to a previously determined variation and the notification following decisions made by it (paragraph (9));

the extension of appeal rights to decisions adjusting amounts payable under maintenance calculations (paragraph (11));

the procedure where the Department has referred an application for a variation to an appeal tribunal under section 28D(1)(b) of the Child Support Order (paragraph (12)),

and makes consequential amendments.

Regulation 3 provides for regulations 10(2) and (3) and 11 to 17 of the Child Support (Arrears, Interest and Adjustment of Maintenance Assessments) Regulations (Northern Ireland) 1992 and regulation 45 of the principal Regulations to continue to apply in certain circumstances.

Regulation 4 provides for the revocation of regulation 10(2) and (3) and Part IV of the Child Support (Arrears, Interest and Adjustment of Maintenance Assessments) Regulations (Northern Ireland) 1992 and makes consequential revocations.

Article 28G of the Child Support Order, one of the enabling provisions under which these Regulations are made, was substituted by section 7 of the Act. That section was brought into operation for the purpose of making regulations on 22nd November 2000 by virtue of the Child Support, Pensions and Social Security (2000 Act) (Commencement No. 1) Order (Northern Ireland) 2000 (S.R. 2000 No. 358 (C. 16)).

These Regulations do not impose a charge on business.