

**2003 No. 522**

**FAMILY LAW**

**CHILD SUPPORT**

**The Child Support (Information, Evidence and Disclosure)  
(Amendment) Regulations (Northern Ireland) 2003**

*Made* - - - - - *9th December 2003*

*Coming into operation* *7th January 2004*

The Department for Social Development, in exercise of the powers conferred by Articles 16(1), 47(1) and (2)(g), 48(4) and 50(1) of the Child Support (Northern Ireland) Order 1991(a) and now vested in it(b), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and effect**

1.—(1) These Regulations may be cited as the Child Support (Information, Evidence and Disclosure) (Amendment) Regulations (Northern Ireland) 2003 and, subject to paragraph (2), shall come into operation on 7th January 2004.

(2) These Regulations shall have effect only for the purposes of any case in respect of which section 12 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(c) (information required by the Department) has not come into operation and for so long as that section is not in operation for the purposes of such a case.

**Amendment of the Child Support (Information, Evidence and Disclosure) Regulations**

2.—(1) The Child Support (Information, Evidence and Disclosure) Regulations (Northern Ireland) 1992(d) shall be amended in accordance with paragraphs (2) and (3).

- (2) In regulation 2 (persons under a duty to furnish information or evidence) –
- (a) in paragraph (1)(e) for “to enable a decision to be made under Article 13, 14, 18 or 19 of the Order” there shall be substituted “and is needed for any of the purposes specified in regulation 3(1)(f)”;
  - (b) after paragraph (1) there shall be inserted the following paragraph –

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(a) S.I. 1991/2628 (N.I. 23); the amendments to Article 16(1) by section 12 of, and paragraph 16 of Schedule 3 to, the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 (c. 4 (N.I.)) are not in operation for the purposes of the cases to which the amendments made by these Regulations apply

(b) See Article 8(b) of S.R. 1999 No. 481

(c) 2000 c. 4 (N.I.). See Article 3 of S.R. 2003 No. 53 (C. 4)

(d) S.R. 1992 No. 339; relevant amending rules are S.R. 1994 No. 65, S.R. 1995 Nos. 19, 162 and 475, S.R. 1996 No. 317, S.R. 1999 No. 246 (C. 20), S.R. 2001 No. 16 and S.R. 2002 No. 164

(e) Paragraph (1) was substituted by Article 7(2)(a) of S.R. 1999 No. 246 (C. 20)

(f) The amendments to regulation 3(1), for the purposes of the cases to which these Regulations apply, are regulation 2(3) of S.R. 1996 No. 317 and Article 7(3) of S.R. 1999 No. 246 (C. 20)

“(1A) In such cases as the Department may determine, a person falling within a category listed in paragraph (2)(a) shall furnish such information or evidence as the Department may determine which is information or evidence –

- (a) with respect to the matter or matters specified in that paragraph in relation to that category;
- (b) needed by the Department for a purpose specified in regulation 3(1A); and
- (c) in that person’s possession or which that person can reasonably be expected to acquire.”.

(3) In regulation 3 (purposes for which information or evidence may be required) after paragraph (1) there shall be inserted the following paragraph –

“(1A) The Department may require information or evidence to be provided under the provisions of regulation 2(1A) only for the purpose of verifying whether information or evidence which it holds, or has held, is correct.”.

Sealed with the Official Seal of the Department for Social Development on 9th December 2003.

(L.S.)

*John O’Neill*

Senior Officer of the Department for Social Development

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(a) The amendments to paragraph (2), for the purposes of the cases to which these Regulations apply, are paragraph 1(b) of Schedule 20 to S.R. 1994 No. 65, regulation 2 of S.R. 1995 No. 19, regulation 6(2) of S.R. 1995 No. 162, regulation 2(2)(b) of S.R. 1995 No. 475, regulation 2(2) of S.R. 1996 No. 317, Article 7(2)(b) of S.R. 1999 No. 246 (C. 20), regulation 2(5)(c) and (d) of S.R. 2001 No. 16 and regulation 2(3)(b) of S.R. 2002 No. 164

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations further amend the Child Support (Information, Evidence and Disclosure) Regulations (Northern Ireland) 1992 (“the Information Regulations”), which provide for information or evidence to be furnished in connection with the determination of any application under the Child Support (Northern Ireland) Order 1991 (“the Order”). The amendments made by these Regulations apply to cases in respect of which section 12 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 has not come into operation.

Regulation 2 amends regulations 2 and 3 of the Information Regulations to enable information or evidence to be required for the purposes of verifying, in such cases as the Department for Social Development may determine, such information or evidence that it holds, or has held, as it may determine.

A full regulatory impact assessment has not been produced for this rule as it has no impact on the costs of business.

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