

2006 No. 286

CONTRACTING OUT

CHILD SUPPORT

**The Contracting Out (Functions Relating to Child Support)
Order (Northern Ireland) 2006**

Made - - - - - *28th June 2006*
Coming into operation - - - - - *3rd July 2006*

This Order is made in exercise of the powers conferred by Article 17(1) of the Deregulation and Contracting Out (Northern Ireland) Order 1996(a), and now vested in the Department for Social Development(b).

The Secretary of State for Work and Pensions has made an Order under section 69 of the Deregulation and Contracting Out Act 1994(c).

Accordingly, the Department for Social Development makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Contracting Out (Functions Relating to Child Support) Order (Northern Ireland) 2006 and shall come into operation on 3rd July 2006.

(2) In this Order “the 1991 Order” means the Child Support (Northern Ireland) Order 1991(d).

Contracting out of functions relating to child support

2.—(1) Subject to paragraph (2), any function of the Department relating to child support under or by virtue of the provisions of the 1991 Order, may be exercised by, or by employees of, such person (if any) as may be authorised by the Department.

(2) Paragraph (1) shall not include functions under the following provisions—

(a) Article 17 of the 1991 Order(e) (powers of inspectors);

(a) S.I. 1996/1632 (N.I. 11); Article 17(1) was amended by section 7(1) of the Social Security Act (Northern Ireland) 2002 (c. 10 (N.I.))

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

(c) 1994 c.40

(d) S.I. 1991/2628 (N.I. 23); the Child Support (Northern Ireland) Order 1991 has been amended by the Child Support (Northern Ireland) Order 1995 (S.I. 1995/2702 (N.I. 13)), the Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10)) and Part I of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 c.4 (N.I.). Much of Part I of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 is in operation only in relation to certain categories of cases: see S.R. 2003 No. 53 (C. 4)

(e) Article 17 was amended by section 14 of the Child Support, Pensions and Social Security (Northern Ireland) 2000 and paragraph 9 of Schedule 24 to the Civil Partnership Act 2004 (c. 33)

- (b) Article 35 of the 1991 Order (enforcement of liability orders);
- (c) Article 36A of the 1991 Order^(a) (commitment to prison and disqualification from driving);
- (d) Article 37A of the 1991 Order^(b) (disqualification from driving: further provision); or
- (e) any other functions excluded from section 69 of the Deregulation and Contracting Out Act 1994 by section 71 of that Act.

Sealed with the Official Seal of the Department for Social Development on 28th June 2006



John O'Neill

A senior officer of the Department for Social Development.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision to enable the Department to authorise another person to exercise functions relating to child support other than certain functions which are excluded from contracting out by section 71 of the Deregulation and Contracting Out Act 1994 such as rights of entry and seizure, and the power to make subordinate legislation.

^(a) Article 36A was inserted by section 16(1) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000
^(b) Article 37A was inserted by section 16(3) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000

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