

2008 No. 119

FAMILY LAW

CHILD SUPPORT

**The Child Support (Miscellaneous Amendments) Regulations
(Northern Ireland) 2008**

Made - - - -

13th March 2008

Coming into operation -

6th April 2008

The Department for Social Development makes the following Regulations in exercise of the powers conferred by Articles 16(1) and 32(1), (3)(a), (8) and (9) of the Child Support (Northern Ireland) Order 1991(a), and now vested in it(b).

Citation and commencement

1. These Regulations may be cited as the Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2008 and shall come into operation on 6th April 2008.

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

2.—(1) The Child Support (Information, Evidence and Disclosure) Regulations (Northern Ireland) 1992(c) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation), after the definition of “appropriate authority”, insert the following definition:

““deposit-taker” means a person who, in the course of a business, may lawfully accept deposits in the United Kingdom;”

(3) In regulation 2(2)(d) (persons under a duty to furnish information or evidence)—

(a) in sub-paragraph (h)(i)(e), for “matter listed in sub-paragraph (e)” substitute “matters listed in sub-paragraphs (d), (e) and (o)”;

(b) in sub-paragraph (i)(f), for “and (n)” substitute “, (n) and (o)”;

(a) S.I. 1991/2628 (N.I. 23); Article 16(1) is amended 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.) in respect of certain cases commenced on 3rd March 2003 only

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

(c) 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, S.R. 2002 No. 164, S.R. 2006 No. 273 and S.R. 2007 No. 347

(d) Regulation 2(2) was amended by 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) of S.R. 1995 No. 475, regulation 2(2) of S.R. 1996 No. 317, Article 7(2) of S.R. 1999 No. 246 (C. 20), regulation 2 of S.R. 2001 No. 16, regulation 2(3)(a) of S.R. 2002 No. 164 and regulation 2(2) of S.R. 2006 No. 273

(e) Sub-paragraph (h)(i) was added by regulation 2(5)(d) of S.R. 2001 No. 16 and amended by regulation 2(3)(b)(i) of S.R. 2002 No. 164

(f) Sub-paragraph (i) was added by regulation 2(2) of S.R. 2006 No. 273

(c) after sub-paragraph (i) insert—

“(j) a deposit-taker with respect to the matters listed in sub-paragraphs (d), (e), (f) and (o) of regulation 3(1).”.

(4) In regulation 3(1)(a) (purposes for which information or evidence may be required) after sub-paragraph (n) insert—

“(o) the collection and enforcement of child support maintenance payable and amounts payable under a relevant court order.”.

Amendment of the Child Support (Collection and Enforcement) Regulations

3.—(1) The Child Support (Collection and Enforcement) Regulations (Northern Ireland) 1992**(b)** are amended as follows.

(2) For regulation 15 (information to be provided by liable person), substitute—

“**15.—**(1) A liable person in respect of whom a deduction from earnings order is in force must notify the Department in writing within 7 days of each occasion on which he leaves employment or becomes employed, or re-employed.

(2) If a liable person becomes employed or re-employed, such notification must include the following details—

- (a) the name and address of his employer;
- (b) the amount of his earnings and expected earnings; and
- (c) his place of work, nature of his work and any works or pay number.”.

Sealed with the Official Seal of the Department for Social Development on 13th March 2008

(L.S.)

John O'Neill

A senior officer of the Department for Social Development

(a) Regulation 3(1) was amended by regulation 2(3) of S.R. 1996 No. 317, Article 7(3) of S.R. 1999 No. 246 (C.20), regulation 2 of S.R. 2001 No. 16 and regulation 2(3) of S.R. 2006 No. 273
(b) S.R. 1992 No. 390. Relevant amending regulation is S.R. 1999 No. 152

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make miscellaneous amendments to regulations relating to child support, and come into operation on 6th April 2008.

Regulation 1 deals with citation and commencement.

Regulation 2 makes a number of amendments to the Child Support (Information, Evidence and Disclosure) Regulations (Northern Ireland) 1992. It extends the purposes for which the Driver and Vehicle Agency and credit reference agencies may be required to furnish information to the Department. It makes provision for deposit-takers, for example, banks and building societies, to be required to furnish information to the Department for various purposes. It extends the purposes for which information or evidence may be required to include information or evidence needed to enable the collection and enforcement of child support maintenance payable, or amounts payable under a relevant court order.

Regulation 3 amends the Child Support (Collection and Enforcement) Regulations (Northern Ireland) 1992. It sets out the information which a liable person subject to a deduction from earnings order must provide on leaving employment or becoming employed, or re-employed. It is an offence if a liable person does not provide such information.

An Impact Assessment of the effect of these regulations on the costs of business has been prepared and may be obtained from the CSA Policy Team, Department for Work and Pensions, 5th Floor, Caxton House, Tothill Street, London SW1H 9NA. It is also available on the Department for Work and Pensions' website <http://www.dwp.gov.uk/resourcecentre/ria.asp>. A copy has been placed in the library of both Houses of Parliament.