
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 427

**The Child Support Maintenance Calculation
Regulations (Northern Ireland) 2012**

PART 3

DECISION MAKING

CHAPTER 1

MAKING THE MAINTENANCE CALCULATION

Effect of variation applied for before a maintenance calculation is made

13.—(1) Subject to paragraph (2), where an application for a variation is made in the circumstances referred to in Article 28A(3) and the application is agreed to, the effective date of the maintenance calculation which takes account of the variation is—

- (a) where the ground giving rise to the variation existed from the initial effective date, that date; or
- (b) where the ground giving rise to the variation arose after the initial effective date, the day on which the ground arose.

(2) Where—

- (a) the ground for the variation applied for under Article 28A(3) is a ground in regulation 64 or 66; and
- (b) payments falling within the relevant regulation which have been made by the non-resident parent constitute voluntary payments for the purposes of Article 28J(1) and regulations made under that Article,

the date from which the maintenance calculation is to take account of the variation on this ground is to be the date on which the non-resident parent is notified under regulation 25 of the amount of the non-resident's liability to pay child support maintenance.

(3) Where the ground for the variation applied for under Article 28A(3) has ceased to exist by the date on which the maintenance calculation is made, that calculation is to take account of the variation for the period ending on the day on which the ground ceased to exist.

Commencement Information

II Reg. 13 comes into force in accordance with reg. 1

(1) Article 28J is inserted by section 19(1) of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 and amended by Schedule 5 to the Child Maintenance Act (Northern Ireland) 2008

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Child Support Maintenance Calculation Regulations (Northern Ireland) 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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Changes and effects yet to be applied to :

- (2)-(4) inserted by [S.R. 2021/188 reg. 2\(2\)\(c\)](#)
- Regulations modified (temp.) by [S.R. 2013/201 art. 6](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Ch. 5A added by [S.R. 2015/116 reg. 8\(3\)](#)
- Sch. inserted by [S.R. 2022/178 art. 5\(7\)](#)
- reg. 2A added by [S.R. 2022/178 art. 5\(3\)](#)
- reg. 7(3) added by [S.R. 2022/178 art. 5\(4\)](#)
- reg. 11(3)-(9) added by [S.R. 2014/193 reg. 4\(2\)\(c\)](#)
- reg. 12(1) renumbered from reg. 12 by [S.R. 2014/193 reg. 4\(3\)\(a\)](#)
- reg. 12(1) words substituted by [S.R. 2014/193 reg. 4\(3\)\(b\)](#)
- reg. 12(2) added by [S.R. 2014/193 reg. 4\(3\)\(c\)](#)
- reg. 12(2)(a) word omitted by [S.R. 2022/178 art. 5\(6\)\(a\)](#)
- reg. 12(2)(b) words inserted by [S.R. 2022/178 art. 5\(6\)\(b\)](#)
- reg. 12(2)(b)(a) words substituted by [S.R. 2022/178 art. 5\(6\)\(c\)](#)
- reg. 12(2)(b)(b) words substituted by [S.R. 2022/178 art. 5\(6\)\(c\)](#)
- reg. 14(3A) inserted by [S.R. 2014/193 reg. 4\(4\)](#)
- reg. 14A inserted by [S.R. 2016/208 reg. 5\(2\)](#)
- reg. 33(2)(c) and word added by [S.R. 2013/182 reg. 8\(2\)\(a\)\(ii\)](#)
- reg. 33(2A) inserted by [S.R. 2013/182 reg. 8\(2\)\(b\)](#)
- reg. 43(1)(i) and preceding word inserted by [S.R. 2015/411 art. 27\(b\)](#)
- reg. 43(1)(i) word inserted by [S.I. 2023/1218 art. 47\(b\)](#)
- reg. 43(1)(j) inserted by [S.I. 2023/1218 art. 47\(c\)](#)
- reg. 43(2)(e) inserted by [S.R. 2016/236 reg. 41\(3\)\(a\)\(iii\)](#) (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 43(5) inserted by [S.R. 2016/236 reg. 41\(3\)\(b\)](#) (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 44(1)(c)(iii)-(iv) inserted by [S.R. 2016/236 reg. 41\(4\)\(b\)](#) (This amendment comes into operation on the day on which the Universal Credit Regulations come into operation.)
- reg. 49(4) added by [S.R. 2013/182 reg. 8\(4\)](#)
- reg. 53(1) reg. 53 renumbered as reg. 53(1) by [S.R. 2013/182 reg. 8\(5\)](#)
- reg. 53(2) added by [S.R. 2013/182 reg. 8\(5\)](#)
- reg. 63(2)(a)(v) and word inserted by [S.I. 2022/177 art. 27\(2\)\(c\)](#)
- reg. 63(2)(a)(v) words substituted by [S.I. 2022/530 art. 12\(2\)](#)
- reg. 63(2)(a)(iv) and preceding word inserted by [S.R. 2016/228 reg. 39\(c\)](#)
- reg. 63(2)(f) added by [S.R. 2016/228 reg. 39\(d\)](#)
- reg. 63(2)(g) inserted by [S.I. 2022/177 art. 27\(2\)\(d\)](#)
- reg. 63(2)(aa) inserted by [S.I. 2013/3021 art. 31\(2\)\(b\)](#)
- reg. 63(2)(ab) inserted by [S.I. 2021/786 art. 19\(2\)\(c\)](#)
- reg. 68(5)(c) and preceding word inserted by [S.R. 2013/190 reg. 6\(3\)\(a\)](#)
- reg. 68(8)-(9) added by [S.R. 2013/190 reg. 6\(3\)\(b\)](#)
- reg. 68A inserted by [S.R. 2018/210 reg. 2\(2\)](#)

- reg. 68A inserted by [S.R. 2019/116 reg. 2\(2\)](#)
- reg. 68A inserted by [S.R. 2019/221 reg. 2\(2\)](#)
- reg. 73(1A) inserted by [S.R. 2013/190 reg. 6\(5\)](#)
- reg. 75(1) words substituted by [S.R. 2021/188 reg. 2\(2\)\(b\)](#)
- reg. 76(a) words in reg. 76 renumbered as reg. 76(a) by [S.R. 2013/182 reg. 8\(7\)](#)
- reg. 76(b) and word added by [S.R. 2013/182 reg. 8\(7\)](#)