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STATUTORY RULES OF NORTHERN IRELAND

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**2012 No. 427**

The Child Support Maintenance Calculation  
Regulations (Northern Ireland) 2012

PART 4

THE MAINTENANCE CALCULATION RULES

CHAPTER 2

RATES OF CHILD SUPPORT MAINTENANCE

**Flat rate**

**43.—**(1) The following benefits, pensions and allowances are prescribed for the purposes of paragraph 4(1)(b) of Schedule 1—

- (a) under the Contributions and Benefits Act—
  - (i) bereavement allowance,
  - (ii) category A retirement pension,
  - (iii) category B retirement pension,
  - (iv) category C and category D retirement pension,
  - (v) incapacity benefit,
  - (vi) carer's allowance,
  - (vii) maternity allowance,
  - (viii) severe disablement allowance,
  - (ix) industrial injuries benefit,
  - (x) widowed mother's allowance,
  - (xi) widowed parent's allowance, and
  - (xii) widow's pension;
- (b) contribution-based jobseeker's allowance under the Jobseekers (Northern Ireland) Order 1995<sup>(1)</sup>;
- (c) a social security benefit paid by a country other than the United Kingdom;
- (d) a training allowance (other than in respect of a relevant training scheme);

- (e) a war disablement pension within the meaning of section 146(2) of the Contributions and Benefits Act(2) or a pension which is analogous to such a pension paid by the government of a country outside the United Kingdom;
  - (f) a war widow’s pension within the meaning of that section, or a war widower’s pension or surviving civil partner’s war pension;
  - (g) a payment under a scheme mentioned in section 1(2) of the Armed Forces (Pensions and Compensation) Act 2004(3); and
  - (h) contributory employment and support allowance.
- (2) The following benefits are prescribed for the purposes of paragraph 4(1)(c) of Schedule 1—
- (a) income support;
  - (b) income-based jobseeker’s allowance;
  - (c) income-related employment and support allowance; and
  - (d) state pension credit.
- (3) Where the conditions referred to in paragraph 4(2) of Schedule 1 are satisfied the flat rate of maintenance payable is half the flat rate that would otherwise apply.
- (4) In paragraph (1)(d) “training allowance” means a payment under section 1 of the Employment and Training Act (Northern Ireland) 1950(4) which is paid to a person for that person’s maintenance while undergoing training.

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(2) The definition of “war disablement pension” was amended by paragraph 201(3) of Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 and the definition of “war widow’s pension” was amended by paragraph 201(4) of Schedule 6 to the Income Tax (Earnings and Pensions) Act 2003 and paragraph 102(2) of Schedule 24 to the Civil Partnership Act 2004

(3) [2004 c. 32](#)

(4) [1950 c. 29 \(N.I.\)](#); section 1 was amended by Article 3 of the Employment and Training (Amendment) (Northern Ireland) Order 1988 ([S.I. 1988/1087 \(N.I. 10\)](#)) and Article 5 of the Industrial Training (Northern Ireland) Order 1990 ([S.I. 1990/1200 \(N.I. 8\)](#))