
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 438

**The Child Support (Meaning of Child and New
Calculation Rules) (Consequential and Miscellaneous
Amendments) Regulations (Northern Ireland) 2012**

PART 2

Meaning of Child

Amendment of the Child Support (Maintenance Assessment Procedure) Regulations

2. In Schedule 1 to the Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992(1) (meaning of “child” for the purposes of the Order)—

(a) for paragraphs 1 and 1A substitute—

“Persons of 16 or 17 years of age who are not in full-time non-advanced education

1.—(1) A person satisfies such conditions as may be prescribed for the purposes of Article 3(1)(b) of the Order if that person satisfies any of the conditions in sub-paragraphs (2) and (3).

(2) The person is receiving full-time education (which is not advanced education)—

(a) by attendance at a recognised educational establishment; or

(b) elsewhere, if the education is recognised by the Department.

(3) The person is a person in respect of whom child benefit is payable.”;

(b) in paragraph 2 for—

(i) “Article 3 of the Order”, in both places, substitute “this Schedule”, and

(ii) in sub-paragraph (a) after “education” insert “, a higher national certificate”;

(c) in paragraph 3 for “Article 3 of the Order” substitute “this Schedule”;

(d) in paragraph 4(1) for “Article 3(1)(b) of the Order” substitute “paragraph 1(2)”; and

(e) for paragraph 6 substitute—

“Interpretation

6. In this Schedule “recognised educational establishment” means an establishment recognised by the Department for the purposes of this Schedule as being, or as comparable to, a university, college or school.

(1) S.R. 1992 No. 340; Schedule 1 was amended by regulation 3(a) of S.R. 1999 No. 152, regulation 2(25) of S.R. 1999 No. 167 and regulation 2(4) of S.R. 2009 No. 363

Education otherwise than at a recognised educational establishment

7. For the purposes of paragraph 1(2), the Department may recognise education provided for a person otherwise than at a recognised educational establishment only if it is satisfied that education was being so provided for that person immediately before that person attained the age of 16.”.

Amendment of the Child Support (Maintenance Calculation Procedure) Regulations

3. In Schedule 1 to the Child Support (Maintenance Calculation Procedure) Regulations (Northern Ireland) 2001(2) (meaning of “child” for the purposes of the Order)—

(a) for paragraphs 1 and 1A substitute—

“Persons of 16 or 17 years of age who are not in full-time non-advanced education

1.—(1) A person satisfies such conditions as may be prescribed for the purposes of Article 3(1)(b) of the Order if that person satisfies any of the conditions in sub-paragraphs (2) and (3).

(2) The person is receiving full-time education (which is not advanced education)—

- (a) by attendance at a recognised educational establishment; or
- (b) elsewhere, if the education is recognised by the Department.

(3) The person is a person in respect of whom child benefit is payable.”;

(b) in paragraph 2—

- (i) for “Article 3 of the Order”, in both places, substitute “this Schedule”, and
- (ii) in sub-paragraph (a) after “education” insert “, a higher national certificate”;

(c) in paragraph 3 for “Article 3 of the Order” substitute “this Schedule”;

(d) in paragraph 4(1) for “Article 3(1)(b) of the Order” substitute “paragraph 1(2)”; and

(e) for paragraph 6 substitute—

“Interpretation

6. In this Schedule “recognised educational establishment” means an establishment recognised by the Department for the purposes of this Schedule as being, or as comparable to, a university, college or school.

Education otherwise than at a recognised educational establishment

7. For the purposes of paragraph 1(2), the Department may recognise education provided for a person otherwise than at a recognised educational establishment only if satisfied that education was being so provided for that person immediately before that person attained the age of 16.”.