
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.”