STATUTORY RULES OF NORTHERN IRELAND

1993 No. 157

FAMILY LAW
CHILD SUPPORT

The Child Support (Northern Ireland) Order 1991 (Consequential Amendments) Order (Northern Ireland) 1993

Made - - - -	*30th March 1993*
Coming into operation	*12th April 1993*

The Department of Health and Social Services, in exercise of the powers conferred on it by Article 51(1) of the Child Support (Northern Ireland) Order 1991(**1**) and of all other powers enabling it in that behalf, hereby makes the following order:

Citation and commencement

1. This order may be cited as the Child Support (Northern Ireland) Order 1991 (Consequential Amendments) Order (Northern Ireland) 1993 and shall come into operation on 12th April 1993 immediately after the coming into operation of the Child Support Act 1991 (Consequential Amendments) Order 1993(**2**).

Amendments relating to the Army

2. —

(1) The Army Act 1955(**3**) shall be amended in accordance with paragraphs (2) to (4).

(2) After section 150A(**4**) there shall be inserted the following section—

"**Enforcement of maintenance assessment by deductions from pay.**

150AA. —

(1) Subsection (2) applies where any officer, warrant officer, non-commissioned officer or soldier of the regular forces ("the liable person") is required to make periodical payments in respect of any child in accordance with a maintenance assessment made under the Child Support (Northern Ireland) Order 1991.

(**1**) S.I. 1991/2628 (N.I. 23)
(**2**) S.I.1993/785
(**3**) 1955 c. 18. Section 152 was amended by the Armed Forces Act 1971 (c. 33), sections 59(2) and 77(1) and Schedule 4, Part I
(**4**) Section 150A was inserted by S.I. 1993/785

(2) The Defence Council or an officer authorised by them may order such sum to be deducted from the pay of the liable person and appropriated in or towards satisfaction of any obligation of his—

(a) to make periodical payments in accordance with the maintenance assessment; or

(b) to pay interest (by virtue of regulations made under Article 38(3) of the Order of 1991) with respect to arrears of child support maintenance payable in accordance with the assessment,

as they, or the authorised officer, thinks fit.

(3) Where a child support officer—

(a) makes or cancels a maintenance assessment or a fresh maintenance assessment; and

(b) has reason to believe that the person against whom the assessment is, or was, made is an officer, warrant officer, non-commissioned officer or soldier of the regular forces,

the Department of Health and Social Services for Northern Ireland shall inform the Defence Council or an officer authorised by them of the terms of the assessment or (as the case may be) that it has been cancelled.

(4) This section applies whether or not the liable person was a member of the regular forces when the maintenance assessment was made.".

(3) In section 151 (deductions from pay for maintenance of wife or child) after subsection (3A)(**5**) there shall be inserted the following subsection—

"(3AA) Where an order is in force under section 150AA of this Act for deductions to be made from the pay of any member of the regular forces with respect to the maintenance of a child of his, no order may be made under this section for the deductions of any sums from the pay of that person with respect to the maintenance of that child.".

(4) In section 152 (limit on deductions under sections 150 and 151 and effect of forfeiture) after "150A"(**6**), in each case, there shall be inserted ", 150AA".

Amendments relating to the Royal Air Force

3. —

(1) The Air Force Act 1955(**7**) shall be amended in accordance with paragraphs (2) to (4).

(2) After section 150A(**8**) there shall be inserted the following section—

"**Enforcement of maintenance assessment by deductions from pay.**

150AA. —

(1) Subsection (2) applies where any officer, warrant officer, non-commissioned officer or airman of the regular air force ("the liable person") is required to make periodical payments in respect of any child in accordance with a maintenance assessment made under the Child Support (Northern Ireland) Order 1991.

(2) The Defence Council or an officer authorised by them may order such sum to be deducted from the pay of the liable person and appropriated in or towards satisfaction of any obligation of his—

(a) to make periodical payments in accordance with the maintenance assessment; or

(**5**) Subsection (3A) was inserted by S.I. 1993/785
(**6**) Inserted by S.I. 1993/785
(**7**) 1955 c. 19, Section 152 was amended by the Armed Forces Act 1971 (c. 33), sections 59(2) and 77(1) and Schedule 4, Part I
(**8**) Section 150A was inserted by S.I. 1993/785