1992 No. 340

FAMILY LAW

CHILD SUPPORT

The Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992

Made	*30th July 1992*
Coming into operation . .	*5th April 1993*

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The Department of Health and Social Services, in exercise of the powers conferred on it by Articles 2, 3, 4(3), 8(3), 9(1), 14, 18, 19, 20, 39(3), 43(11) and 47 of, and paragraphs 11, 14 and 16 of Schedule 1 to, the Child Support (Northern Ireland) Order 1991(**a**) and of all other powers enabling it in that behalf, hereby makes the following regulations:

PART I

GENERAL

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992 and shall come into operation on 5th April 1993.

(2) In these regulations—

''the Order'' means the Child Support (Northern Ireland) Order 1991;

''applicable amount'' is to be construed in accordance with Part IV of the Income Support Regulations;

''applicable amounts Schedule'' means Schedule 2 to the Income Support Regulations;

''award period'' means a period in respect of which an award of family credit or disability working allowance is made;

''balance of the reduction period'' means, in relation to a direction that is or has been in force, the portion of the period specified in a direction in respect of which no reduction of relevant benefit has been made;

(a) S.I. 1991/2628 (N.I. 23)

"benefit week", in relation to income support, has the same meaning as in the Income Support Regulations, and, in relation to family credit and disability working allowance, is to be construed in accordance with the Social Security (Claims and Payments) Regulations (Northern Ireland) 1987(**a**);

"day to day care" has the same meaning as in the Maintenance Assessments and Special Cases Regulations;

"direction" means reduced benefit direction;

"disability working allowance" has the same meaning as in the Social Security Contributions and Benefits (Northern Ireland) Act 1992(**b**);

"effective application" means any application that complies with the provisions of regulation 2;

"effective date" means the date on which a maintenance assessment takes effect for the purposes of the Order;

"Income Support Regulations" means the Income Support (General) Regulations (Northern Ireland) 1987(**c**);

"Information, Evidence and Disclosure Regulations" means the Child Support (Information, Evidence and Disclosure) Regulations (Northern Ireland) 1992(**d**);

"Maintenance Assessments and Special Cases Regulations" means the Child Support (Maintenance Assessments and Special Cases) Regulations (Northern Ireland) 1992(**e**);

"maintenance period" has the meaning prescribed in regulation 32;

"obligation imposed by Article 9 of the Order" is to be construed in accordance with Article 43(1) of the Order;

"parent with care" means a person who, in respect of the same child or children, is both a parent and a person with care;

"the parent concerned" means the parent with respect to whom a direction is given;

"the protected income level" has the same meaning as in paragraph 6(6) of Schedule 1 to the Order;

"relevant benefit" means income support, family credit or disability working allowance;

"relevant person" means—

(*a*) a person with care;

(*b*) an absent parent;

(*c*) a parent who is treated as an absent parent under regulation 20 of the Maintenance Assessments and Special Cases Regulations,

in respect of whom a maintenance assessment has been applied for or is or has been in force.

(**a**) S.R. 1987 No. 465; relevant amending regulations are S.R. 1992 No. 7
(**b**) 1992 c. 7
(**c**) S.R. 1987 No. 459; relevant amending rules are S.R. 1988 Nos. 146, 193, 274, 318 and 431, S.R. 1989 Nos. 139, 249, 365 and 395, S.R. 1990 Nos. 131 and 213, S.R. 1991 Nos. 46, 170, 338 and 345 and S.R. 1992 Nos. 6 and 18
(**d**) S.R. 1992 No. 339
(**e**) S.R. 1992 No. 341