
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 53

**The Child Support, Pensions and Social Security (2000 Act)
(Commencement No. 9) Order (Northern Ireland) 2003**

Appointed day for the coming into operation of sections 3 and 18

4. 3rd March 2003 is the day appointed for the coming into operation of sections 3 (applications by persons claiming or receiving benefit) and 18 (reduced benefit decisions), in so far as not already in operation, for the purpose of the following cases –

- (a) where, on or after 3rd March 2003, income support, an income-based jobseeker's allowance or any other benefit prescribed for the purposes of Article 9 of the Child Support Order as substituted by section 3 is claimed by or in respect of, or paid to or in respect of, the parent of a qualifying child who is also the person with care of the child, and when the claim is made –
 - (i) there is no maintenance assessment or maintenance calculation in force in respect of that parent, and
 - (ii) there has been no maintenance assessment in force during the previous 8 weeks in respect of that child;
- (b) where –
 - (i) before 3rd March 2003, Article 9(1) of the Child Support Order, before its substitution by the Act, applied to the parent with care,
 - (ii) a maintenance assessment has been made with an effective date which is before 3rd March 2003, and
 - (iii) on or after 3rd March 2003 the parent with care withdraws his authorisation under that Article 9(1) at a date when he continues to fall within that Article 9(1);
- (c) where, immediately before 3rd March 2003, paragraph (1) of Article 9 of the Child Support Order, before its substitution by the Act, applied to the parent with care, and a maintenance assessment has not been made because –
 - (i) the Department was in the process of considering whether the parent with care should be required to give the authorisation referred to in that paragraph,
 - (ii) paragraph (2) of that Article applied,
 - (iii) paragraph (2) of that Article did not apply and a reduced benefit direction was given under Article 43(5) of the Child Support Order before its substitution by the Act; or
 - (iv) the parent with care failed to comply with a requirement imposed on him under paragraph (1) of that Article and the Department was in the process of serving a notice or considering reasons given by the parent with care under Article 43(2) or (3) of the Child Support Order before its substitution by the Act.