
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 291

**The Child Maintenance (2008 Act) (Commencement
No. 1) Order (Northern Ireland) 2008**

Appointed days

- 2.—(1) 14th July 2008 is the day appointed for the coming into operation of—
- (a) section 7(b) (repeal of Article 43(1) of the 1991 Order);
 - (b) section 35 (liable relative provisions: exclusions of parental duty to maintain);
 - (c) Schedule 5 (repeals), so far as it relates to repeals in—
 - (i) Articles 18(1A)(b), 19(1)(c), 22(1)(c), (2)(b) and (6), 28ZA, 28ZC and 43 of the 1991 Order, and
 - (ii) section 18 of, and paragraphs 19(a) and 21(d) of Schedule 3 to, the Child Support, Pensions and Social Security Act (Northern Ireland) 2000(2).
- (2) Subject to paragraph (3), 14th July 2008 is the day appointed for the coming into operation of—
- (a) section 7(a) (repeal of Article 9 of the 1991 Order);
 - (b) paragraph 1(29) of Schedule 4 (minor and consequential amendments); and
 - (c) Schedule 5, so far as it relates to the repeals in Articles 7(10)(3) and 9(4) of the 1991 Order.
- (3) Paragraph (2) does not apply in relation to existing cases as defined in paragraph (4) and, insofar as Article 9 of the 1991 Order remains in operation for such cases, it shall have effect as if the reference to Article 43 in Article 9(4) were omitted.
- (4) In paragraph (3), an existing case is one in which, immediately before 14th July 2008, Article 9 of the 1991 Order applies in relation to a parent with care and—
- (a) a maintenance assessment or maintenance calculation is in operation as a result of the Department acting under that Article; or
 - (b) no maintenance assessment or maintenance calculation has been made, but the Department has given notice in accordance with regulation 5 of the Child Support (Maintenance Assessment Procedure) Regulations (Northern Ireland) 1992(5), or regulation 5 of the

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- (1) Article 43 was amended by paragraph 10 of Schedule 3 to the Child Support (Northern Ireland) Order 1995 ([S.I. 1995/2702 \(N.I. 13\)](#)), paragraph 28 of Schedule 6 to the Social Security (Northern Ireland) Order 1998 ([S.I. 1998/1506 \(N.I. 10\)](#)), and section 19(4) of the Tax Credits Act 1999 [c. 10](#). The Article is substituted by section 18 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 [c. 4 \(N.I.\)](#) in respect of certain cases only
- (2) [2000 c. 4 \(N.I.\)](#)
- (3) Article 7(10) was inserted by Article 12(1) of the Child Support (Northern Ireland) Order 1995, and is amended by section 2(2) and (3) of, and paragraph 11 of Schedule 3 to, the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 in respect of certain cases only
- (4) Article 9 was amended by paragraph 4(3) of Schedule 2 to the Jobseekers (Northern Ireland) Order 1995 ([S.I. 1995/2705 \(N.I. 15\)](#)), Article 78(2) of the Social Security (Northern Ireland) Order 1998, and section 19(4) of the Tax Credits Act 1999. It is substituted by section 3 of the Child Support, Pensions and Social Security Act (Northern Ireland) 2000 in respect of certain cases only
- (5) [S.R. 1992 No. 340](#); regulation 5 is amended by regulation 4(2) of [S.R. 1993 No. 164](#)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Child Support (Maintenance Calculation Procedure) Regulations (Northern Ireland) 2001(6).

(5) 9th July 2008 is the day appointed for the coming into operation of section 37(2) (general interpretation), section 38(2) (power to make consequential amendments) and section 40(1) to (5) (transition).