

Child Support Enforcement Act (Northern Ireland) 2025

CHAPTER 3

£5.78



Child Support Enforcement Act (Northern Ireland) 2025

CHAPTER 3

CONTENTS

1. Rules relating to liability orders
2. Commencement and short title

Schedule Amendment of statutory provisions

Child Support Enforcement Act (Northern Ireland) 2025

2025 CHAPTER 3

An Act to make provision as to the enforcement of payments of particular amounts due by virtue of certain child support and maintenance legislation

[23rd June 2025]

BE IT ENACTED by being passed by the Northern Ireland Assembly and assented to by His Majesty as follows:

Rules relating to liability orders

1.—(1) The Schedule amends the 1991 Order and the 2008 Act with respect to—

(a) making and varying liability orders (as defined in Article 2(2) of the 1991 Order),

(b) appealing against liability orders (as so defined).

(2) In this Act—

"the 1991 Order" is the Child Support (Northern Ireland) Order 1991,

"the 2008 Act" is the Child Maintenance Act (Northern Ireland) 2008.

Commencement and short title

2.—(1) As follows—

(a) section 1(2) and this section come into operation on the day after the day on which this Act receives Royal Assent,

(b) the rest of this Act comes into operation on the same day as section 17 of the 2008 Act comes into operation.

(2) This Act may be cited as the Child Support Enforcement Act (Northern Ireland) 2025.

SCHEDULE

Section 1(1).

AMENDMENT OF STATUTORY PROVISIONS

Making and varying liability orders

1. In Article 32M of the 1991 Order (liability orders) (as inserted by section 17 of the 2008 Act), for paragraph (1) substitute—

"(1) Where it appears to the Department that—

(a) a person has failed to pay an amount of child support maintenance, and

(b) either—

(i) it is inappropriate to make a deduction from earnings order against the person (because, for example, the person is not employed), or

(ii) although a deduction from earnings order has been made against the person, it has proved ineffective as a means of securing that payments are made in accordance with the maintenance calculation in question,

the Department may make an order against the person in respect of that amount.".

2. In Article 32N of the 1991 Order (regulations about liability orders) (as so inserted), after sub-paragraph (b) of paragraph (2) insert—

"(ba) make provision for the variation of a liability order;".

Appealing against liability orders

3.—(1) In Article 32M of the 1991 Order (as inserted by section 17 of the 2008 Act), in paragraph (3)(a) and (b), for "Article 22" substitute "regulations made under Article 32N(3)".

(2) In Article 32N of the 1991 Order (as so inserted), after paragraph (2) insert—

"(3) The Department must by regulations make provision for a person against whom a liability order is made to have a right to appeal to a court against the making of the order.

(4) Regulations under paragraph (3) may include provision as to—

(a) the period within which the right of appeal may be exercised,

(b) the powers of the court on or regarding appeal.

(5) The court considering the case on appeal in accordance with regulations under paragraph (3) is not allowed to question the maintenance calculation by reference to which the order was made.".

(3) In Article 48 of the 1991 Order (regulations and orders), in paragraph (2A)(b), after "Article" insert "32N(3),".

4. In section 40 of the 2008 Act (transition), in subsection (3), after "32M," insert "32N,".

5.—(1) In section 40 of the 2008 Act—

(a) in subsection (2), "22(5A)," is repealed,

(b) in subsection (3), "22(7A)," is repealed.

(2) In Schedule 4 to the 2008 Act (minor and consequential amendments), sub-paragraphs (5) to (8) of paragraph 1 are repealed.

© Crown copyright 2025

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Saul Nassé, Controller of His Majesty's Stationery Office, being the Government Printer for Northern Ireland and the officer appointed to print the Acts of the Northern Ireland Assembly.

tso
a Williams Lea company

Published by TSO (The Stationery Office), a Williams Lea company,
and available from:

Online
www.tsoshop.co.uk

Mail, Telephone & E-mail
TSO
PO Box 29, Norwich, NR3 1GN
Telephone orders/General enquiries: 0333 202 5070
E-mail: customer.services@tso.co.uk
Textphone: 0333 202 5077

ISBN 978-0-10-596287-8

9 780105 962878