

CHANGES TO DEDUCTIONS FOR ARREARS OF CHILD SUPPORT MAINTENANCE

Contents	Paragraphs
Introduction	1
Background	2
Deductions for Child Support Maintenance from 05.07.2019	3
Limitations on deductions for arrears	4 - 5
Annotations	
Contacts	

INTRODUCTION

1. This memo provides guidance on the Child Support (Miscellaneous Amendments No. 2) Regulations (Northern Ireland) 2019. The relevant parts of these regulations come into force on 05.07.2019¹.

1 CS (Misc Amdts No. 2) Regs (NI) 2019, reg 1(1)

BACKGROUND

2. Prior to 05.07.2019, deductions for arrears of Child Support Maintenance could not be made from Income Support, State Pension Credit, income-based Jobseeker's Allowance or income-related Employment and Support Allowance, or from any other benefit listed in paragraph 3 of this Memo if the claimant also had an award of Income Support, State Pension Credit, income-based Jobseeker's Allowance or income-related Employment and Support Allowance. The regulations remove that restriction¹ and increase the amount that can be deducted for arrears of Child Support Maintenance².

1 SS (C&P) Regs (NI), Sch 8C para 3(1); CS (Misc Amdts No. 2) Regs 2019, reg 2(3)(b)(i);

2 SS (C&P) Regs (NI), Sch 8C para 3(1); CS (Misc Amdts No. 2) Regs 2019, reg 2(3)(b)(ii)

DEDUCTIONS FOR ARREARS OF CHILD SUPPORT MAINTENANCE FROM 05.07.2019

3. Where the non-resident parent is liable to pay arrears of Child Support Maintenance, a deduction of £8.40¹ per week may be made from the non-resident parent's award of any one of the following benefits:
 1. Carer's Allowance
 2. State Pension
 3. Retirement Pension
 4. State Pension Credit
 5. Income Support
 6. Employment and Support Allowance (contributory and income-related)
 7. Jobseeker's Allowance (contributory and income-based)
 8. Industrial Injuries Disablement Benefit
 9. Widowed Parent's Allowance
 10. Widow's Pension
 11. War Widow's Pension
 12. Maternity Allowance
 13. Severe Disablement Allowance

1 SS (C&P) Regs (NI), Sch 8C para 3(1)

LIMITATIONS ON DEDUCTIONS FOR ARREARS

4. No deduction may be made for arrears of Child Support Maintenance if the non-resident parent is liable to pay Child Support Maintenance¹. However, deductions for arrears can commence once liability for Child Support Maintenance has ended.

1 SS (C&P) Regs (NI), Sch 8C para 3(1A)

5. No amount may be deducted from an award of a benefit listed in paragraph 3 if it would reduce the amount payable to the claimant to less than 10 pence¹.

1 SS (C&P) Regs (NI), Sch 8C para 2(3)

ANNOTATIONS

Please annotate the number of this memo (DMG Memo Vol 1/119, 6/94, 8/94 & 13/76) against the following DMG paragraphs:

8501, 8508, 33611, 46423, 79897

CONTACTS

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13**

August 2019

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