Draft Regulations laid before Parliament under section 52(2) of the Child Support Act 1991, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2013 No.

FAMILY LAW

CHILD SUPPORT

SOCIAL SECURITY

The Child Support and Claims and Payments (Miscellaneous Amendments and Change to the Minimum Amount of Liability) Regulations 2013

Made - - - - ***

Coming into force in accordance with regulation 1

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 14(1), 43 and 52(4) of, and paragraphs 3(2) and 10A(1)(b) of Schedule 1 and paragraphs 4(1) and 5 of Schedule 4B to, the Child Support Act 1991(**1**) and section 5(1)(p) of the Social Security Administration Act 1992(**2**).

The Social Security Advisory Committee has agreed that the proposals in respect of these Regulations, so far as made under that section 5(1)(p), should not be referred to it(**3**).

A draft of this instrument was laid before and approved by a resolution of each House of Parliament in accordance with section 52(2)(**4**) of the Child Support Act 1991.

Citation and commencement

1.—(1) These Regulations may be cited as the Child Support and Claims and Payments (Miscellaneous Amendments and Change to the Minimum Amount of Liability) Regulations 2013.

(**1**) 1991 c. 48. Section 43 was inserted by the Child Support, Pensions and Social Security Act 2000 (c. 19) ("the 2000 Act"), section 21. Section 54(1) is cited for the meaning of prescribed. Schedule 1 was substituted by the 2000 Act, section 1(3); paragraph 10A(1) was amended by the Child Maintenance and Other Payments Act 2008 (c. 6) ("the 2008 Act"), Schedule 7, paragraph 1(30). Schedule 4B was substituted by section 6(2) of, and Schedule 2 to, the 2000 Act.
(**2**) 1992 c. 5.
(**3**) *See* sections 172(1) and 173(1)(b) of the Social Security Administration Act 1992 (c. 5).
(**4**) Section 52(2) was substituted by the Child Support, Pensions and Social Security Act 2000 (c. 19), section 25.

(2) These Regulations come into force in relation to a case to which the new calculation rules apply on the day on which paragraph 2 of Schedule 4 to the Child Maintenance and Other Payments Act 2008 (calculation by reference to gross weekly income)(**5**) comes into force for all purposes.

(3) In paragraph (2), "a case to which the new calculation rules apply" means a case in which liability to pay child support maintenance is calculated in accordance with Part 1 of Schedule 1 to the Child Support Act 1991 as amended by paragraph 2 of Schedule 4 to the Child Maintenance and Other Payments Act 2008.

Amendment to Schedule 1 to the Child Support Act 1991

2. In Schedule 1 to the Child Support Act 1991 (calculation of weekly amount of child support maintenance)(**6**), paragraph 5A(2)(**7**) shall have effect as if for "£5" in that paragraph there is substituted "£7".

Amendment to the Social Security (Claims and Payments) Regulations 1987

3. In paragraphs 5(2) and 6(2) of Schedule 9B to the Social Security (Claims and Payments) Regulations 1987 (deductions from benefit in respect of child support maintenance and payment to persons with care)(**8**)—

(a) for "£5" substitute "the flat rate of maintenance"; and

(b) after the references to "regulation 4(3) of the Child Support (Maintenance Calculations and Special Cases) Regulations 2000", insert "or regulation 44(3) of the Child Support Maintenance Calculation Regulations 2012(**9**)".

Amendment to the Child Support Information Regulations 2008

4. In regulation 9A(9) of the Child Support Information Regulations 2008 (duty to notify increase in current income)(**10**), for "£5" substitute "£7".

Amendment to the Child Support Maintenance Calculation Regulations 2012

5.—(1) The Child Support Maintenance Calculation Regulations 2012 are amended as follows.

(2) For the Table in regulation 43 (reduced rate), substitute the following table—

	"Number of relevant other children of the non-resident parent	*T (%)*
1 qualifying child of the non-resident parent	0	17.0
	1	14.1
	2	13.2
	3 or more	12.4

(**5**) 2008 c. 6.
(**6**) 1991 c. 48.
(**7**) Paragraph 5A was inserted by the 2008 Act, Schedule 4, paragraph 5 and subsequently amended by S.I. 2012/2678.
(**8**) S.I. 1987/1968. Schedule 9B was inserted by S.I. 2001/18, regulation 2(b), Schedule.
(**9**) S.I. 2012/2677.
(**10**) S.I. 2008/2551. Regulation 9A was inserted by S.I. 2012/2785, regulation 8(4).