

## SCHEDULE

### Consequential, supplementary and incidental amendments

## PART 1

### Amendments to Acts

#### The Child Support Act 1991

1. The 1991 Act is amended as follows.
2. In section 2 (welfare of children: the general principle)(1)—
  - (a) for “Commission” substitute “Secretary of State”;
  - (b) for “it” substitute “the Secretary of State”; and
  - (c) for “its” substitute “the”.
3. In section 4 (child support maintenance)(2)—
  - (a) in subsection (1), for “Commission” substitute “Secretary of State”;
  - (b) in subsection (2), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
  - (c) in subsection (3), for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
  - (d) in subsection (4), for “Commission” (in both places) substitute “Secretary of State”;
  - (e) in subsection (5), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
  - (f) in subsections (6) and (7)(b), for “Commission” substitute “Secretary of State”.
4. In section 7 (right of child in Scotland to apply for calculation)(3)—
  - (a) in subsections (1) and (2), for “Commission” substitute “Secretary of State”;
  - (b) in subsection (3), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
  - (c) in subsection (4), for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
  - (d) in subsection (5), for “Commission” (in both places) substitute “Secretary of State”; and
  - (e) in subsections (6), (7) and (8)(b), for “Commission” substitute “Secretary of State”.
5. In section 8 (role of the courts with respect to maintenance for children), in subsections (1) and (2), for “Commission” substitute “Secretary of State”.
6. In section 10 (relationship between maintenance calculations and certain court orders etc)(4)—
  - (a) in subsection (4)(a), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
  - (b) in subsections (4)(b) and (5), for “Commission” substitute “Secretary of State”.

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(1) Section 2 was amended by the Child Maintenance and Other Payments Act 2008 (c.6) (“the 2008 Act”).

(2) Relevant amendments were made by the Social Security Act 1998 (c.14) (“the 1998 Act”), the Child Support, Pensions and Social Security Act 2000 (c.19) (“the 2000 Act”) and the 2008 Act.

(3) Relevant amendments were made to sections 7 and 8 by the 1998 Act, the 2000 Act and the 2008 Act.

(4) Relevant amendments were made by the 1998 Act, the 2000 Act and the 2008 Act.

**7.** In section 11 (as substituted by the Child Support, Pensions and Social Security Act 2000) (maintenance calculations)(**5**)—

- (a) in subsections (1) and (2), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (b) in subsection (7), for “Commission” substitute “Secretary of State” and for “it determines” substitute “determined”.

**8.**—(1) Section 12 (as substituted by the Child Support, Pensions and Social Security Act 2000) (default and interim maintenance decisions)(**6**) is amended as follows.

(2) In subsection (1)—

- (a) for “Commission” (in both places) substitute “Secretary of State”;
- (b) for the second “it” substitute “the Secretary of State”;
- (c) for “it to do so” substitute “such a decision to be made”; and
- (d) for the final “it” substitute “the Secretary of State”.

(3) In subsection (2), for “Commission” substitute “Secretary of State”.

**9.** In section 14 (information required by Commission)(**7**), in the title and in subsections (3) and (4) for “Commission” (in each place) substitute “Secretary of State”.

**10.** In section 15 (powers of inspectors)(**8**)—

- (a) in subsection (1), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (b) in subsection (2), for “Commission” substitute “the Secretary of State”.

**11.**—(1) Section 16 (revision of decisions)(**9**) is amended as follows.

(2) In subsection (1), for “Commission” (in both places) substitute “Secretary of State” and for “its” substitute “the Secretary of State’s”.

(3) In subsection (1A), for “Commission” substitute “Secretary of State”.

(4) In subsection (1B)—

- (a) for “Commission” substitute “Secretary of State”;
- (b) in paragraph (a), for the first “it” substitute “the Secretary of State” and omit “it were”; and
- (c) in paragraph (b), for the first “it” substitute “the Secretary of State” and for “its” substitute “the”.

(5) In subsection (2)—

- (a) for “Commission” substitute “Secretary of State”;
- (b) for “it” substitute “the Secretary of State”; and
- (c) for “its” substitute “the Secretary of State’s”.

(6) In subsection (6), for “Commission” substitute “Secretary of State”.

**12.**—(1) Section 17 (decisions superseding earlier decisions)(**10**) is amended as follows.

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(5) Section 11 was substituted by section 1 of the 2000 Act and amended by the 2008 Act.

(6) Section 12 was substituted by section 4 of the 2000 Act and amended by the 2008 Act.

(7) Relevant amendments were made by the 1998 Act and the 2008 Act.

(8) Relevant amendments were made by the 2000 Act and the 2008 Act.

(9) Section 16 was substituted by section 40 of the 1998 Act and amended by the 2000 Act, the 2008 Act and [S.I. 2008/2833](#).

(10) Section 17 was inserted by section 41 of the 1998 Act and amended by the 2000 Act, the 2008 Act and [S.I. 2008/2833](#).

(2) In subsection (1), for “Commission” (in both places) substitute “Secretary of State” and for “its” substitute “the Secretary of State’s”.

(3) In subsection (2) (as it has effect before the coming into force of section 17 of the 2008 Act)—

(a) for “Commission” substitute “Secretary of State”;

(b) for “it” substitute “the Secretary of State”; and

(c) for “its” substitute “the Secretary of State’s”.

(4) In subsection (4A), for “Commission” substitute “Secretary of State” and for “its” substitute “the Secretary of State’s”.

**13.** In section 20 (appeals to First-tier Tribunals) (as substituted by the Child Support, Pensions and Social Security Act 2000)(**11**), in subsections (1)(a) and (b), (2)(a)(i), (7)(b) and (8)(b), for “Commission” substitute “Secretary of State”.

**14.** In section 23A (redetermination of appeals)(**12**), omit subsection (4)(za).

**15.** In section 24 (appeals to Upper Tribunal)(**13**)—

(a) omit subsection (1)(a); and

(b) in subsection (2), omit “the Commission or” (in both places).

**16.** In section 26 (disputes about parentage)(**14**), in subsection (1) and in Cases A1 and E in subsection (2), for “Commission” substitute “Secretary of State”.

**17.** In section 27 (applications for declaration of parentage under Family Law Act 1986)(**15**), in subsections (1)(b) and (c) and (2)(b), for “Commission” substitute “Secretary of State”.

**18.** In section 27A (recovery of fees for scientific tests)(**16**)—

(a) in subsection (2)(c), for “Commission” substitute “Secretary of State”; and

(b) in subsections (3) and (5), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”.

**19.** In section 28 (power to initiate or defend actions of declarator)(**17**), in the title and in subsections (1)(b), (1A) and (2), for “Commission” substitute “Secretary of State”.

**20.** In section 28ZA (decisions involving issues that arise on appeal in other cases)(**18**)—

(a) in subsection (1)(a), for “Commission” substitute “Secretary of State”;

(b) in subsection (2), for “Commission” substitute “Secretary of State” and, in paragraphs (a) and (b), for “it” substitute “the Secretary of State”; and

(c) in subsection (3), for “Commission” substitute “Secretary of State”, for “it” substitute “the Secretary of State” and for “its” substitute “the”.

**21.** In section 28ZB (appeals involving issues that arise on appeal in other cases)—

(a) in subsection (2), for “Commission” (in each place) substitute “Secretary of State”;

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(11) Section 20 was substituted by section 2 of the 2000 Act and amended by the 2008 Act and [S.I. 2008/2833](#).

(12) Section 23A was inserted by section 11 of the 2000 Act and amended by the 2008 Act and [S.I. 2008/2833](#).

(13) Section 24 was amended by the 2008 Act and [S.I. 2008/2833](#).

(14) Section 26 was amended by the 1998 Act, the 2000 Act, the Adoption and Children Act 2002 (c.38), the 2008 Act, the Human Fertilisation and Embryology Act 2008 (c.22), the Welfare Reform Act 2009 (c.24) and [S.I. 1995/756](#).

(15) Section 27 was substituted by section 85(3) of, and Schedule 8 to, the 2000 Act and amended by the 2008 Act.

(16) Section 27A was inserted by section 21 of the Child Support Act 1995 (c.34) (“the 1995 Act”) and amended by the 2000 Act and 2008 Act.

(17) Section 28 was amended by the 1995 Act, the Social Security Act 1998 (c.14) (“the 1998 Act”), the Child Support, Pensions and Social Security Act 2000 (c.19) (“the 2000 Act”) and the Child Maintenance and Other Payments Act 2008 (c.6) (“the 2008 Act”).

(18) Sections 28ZA to 28ZD were inserted by sections 43 and 44 of the 1998 Act and amended by the 2000 Act, the 2008 Act and [S.I. 2008/2833](#).

- (b) in subsection (3), for “Commission” (in both places) substitute “Secretary of State” and for “its” substitute “the”; and
  - (c) in subsection (5), for “Commission” substitute “Secretary of State”.
- 22.** In section 28ZC (restrictions on liability in certain cases of error), in subsections (1)(b), (2) and (6), for “Commission” substitute “Secretary of State”.
- 23.** In section 28A (as substituted by the Child Support, Pensions and Social Security Act 2000) (application for variation of usual rules for calculating maintenance)(**19**), in subsections (1), (3) and (4)(a), for “Commission” substitute “Secretary of State”.
- 24.**—(1) Section 28B (as substituted by the Child Support, Pensions and Social Security Act 2000) (preliminary consideration of applications) is amended as follows.
- (2) In subsection (1), for “Commission” substitute “Secretary of State” and for the first “it” substitute “the Secretary of State”.
  - (3) In subsection (2)—
    - (a) for the words from “Where” to “completing the” substitute “The Secretary of State may on completing such a”;
    - (b) for “its” substitute “a”;
    - (c) for the second “Commission” substitute “Secretary of State”;
    - (d) in paragraph (a), for “it could agree to a variation” substitute “a variation could be agreed to”; and
    - (e) in paragraph (b), for “it” substitute “the Secretary of State” and for “its” substitute “the Secretary of State’s”.
- 25.** In section 28C (as substituted by the Child Support, Pensions and Social Security Act 2000) (imposition of regular payments condition)—
- (a) in subsection (1), for “Commission” (in both places) substitute “Secretary of State”, for the first “it” substitute “the Secretary of State” and for “its” substitute “a”;
  - (b) in subsection (3), for “Commission” substitute “Secretary of State” and for the first “it” substitute “the Secretary of State”;
  - (c) in subsection (4), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
  - (d) in subsection (5), for “Commission” substitute “Secretary of State” and for “its” substitute “a”;
  - (e) in subsection (6), for “Commission” substitute “Secretary of State”; and
  - (f) in subsection (7), for “Commission” substitute “Secretary of State”, for “it” substitute “the Secretary of State” and for “its” substitute “the”.
- 26.** In section 28D (determination of applications)(**20**)—
- (a) in subsection (1) (as substituted by the Child Support, Pensions and Social Security Act 2000), for “Commission” substitute “Secretary of State”;
  - (b) in subsection (2), for “Commission” (in both places) substitute “Secretary of State”; and
  - (c) in subsection (3), for “Commission if it were” substitute “Secretary of State in”.
- 27.** In section 28E (matters to be taken into account)—

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(19) Sections 28A to 28C were substituted by section 5 of the 2000 Act and amended by the 2008 Act.

(20) Sections 28D and 28E were inserted by sections 4 and 5 of the 1995 Act and amended by the 2000 Act, the 2008 Act and [S.I. 2008/2833](#).

- (a) in subsection (1), for “Commission” substitute “Secretary of State”;
- (b) in subsection (3), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (c) in subsection (4)(a), for “Commission” substitute “Secretary of State”.

**28.**—(1) Section 28F (as substituted by the Child Support, Pensions and Social Security Act 2000) (agreement to a variation)(**21**) is amended as follows.

(2) In subsection (1)—

- (a) for “Commission” substitute “Secretary of State”;
- (b) in paragraph (a), for “it” substitute “the Secretary of State”; and
- (c) in paragraph (b), for “its” substitute “the Secretary of State’s”.

(3) In subsection (2)—

- (a) for “Commission” substitute “Secretary of State”; and
- (b) in paragraph (a), for “it” substitute “the Secretary of State”.

(4) In subsection (3)—

- (a) for “Commission” substitute “Secretary of State”;
- (b) for the first “its” substitute “a”;
- (c) omit “it is”; and
- (d) in paragraph (a), for “it” substitute “the Secretary of State” and for “its” substitute “the”.

(5) In subsection (4), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”.

(6) In subsection (5), for “Commission” substitute “Secretary of State” and for “its” substitute “the Secretary of State’s”.

(7) In subsection (6), for “Commission” substitute “Secretary of State”.

**29.** In section 28J (voluntary payments)(**22**)—

- (a) in subsection (1)(b), for “Commission” substitute “Secretary of State”;
- (b) in subsection (2), for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (c) in subsection (4), for “Commission” substitute “Secretary of State” and for “it” in the first two places substitute “the Secretary of State”.

**30.** In section 29 (collection of child support maintenance)(**23**)—

- (a) in subsection (1), for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (b) in subsection (3), for “Commission” (in each place) substitute “Secretary of State”.

**31.** In section 30 (collection and enforcement of other forms of maintenance)—

- (a) in subsections (1) and (2), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”;
- (b) in subsection (3), for “Commission” (in each place) substitute “Secretary of State” and for “it” substitute “the Secretary of State”;

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(21) Section 28F was substituted by section 5 of the 2000 Act and amended by the 2008 Act.

(22) Section 28J was inserted by section 20(1) of the 2000 Act and amended by the 2008 Act.

(23) Sections 29 to 32 were amended by the 2000 Act and the 2008 Act.

- (c) in subsections (4) and (5), for the words from “enabling” to “arrangements” substitute “enabling the Secretary of State to enforce any obligation to pay any amount for the collection of which the Secretary of State is authorised under this section to make arrangements”; and
- (d) in subsection (5)(a), for “Commission” substitute “Secretary of State”.
- 32.** In section 31 (deduction from earnings orders)—
- (a) in subsections (2) and (5)(b), for “Commission” substitute “Secretary of State”; and
- (b) in subsection (6), for “Commission” (in both places) substitute “Secretary of State” and for “which it makes” substitute “made”.
- 33.** In section 32 (regulations about deduction from earnings orders), in subsections (2) and (3), for “Commission” (in each place) substitute “Secretary of State”.
- 34.** In section 32A (orders for regular deductions from accounts)**(24)**—
- (a) in subsection (1), for “Commission” substitute “Secretary of State” and for the second “it” substitute “the Secretary of State”; and
- (b) in subsections (3), (6)(b) and (7), for “Commission” substitute “Secretary of State”.
- 35.** In section 32B (orders under section 32A: joint accounts), for “Commission” (in each place) substitute “Secretary of State”.
- 36.** In section 32C (regulations about orders under section 32A)—
- (a) in subsection (2), for “Commission” (in each place) substitute “Secretary of State” and, in paragraph (k), for “it” substitute “the Secretary of State”; and
- (b) in subsection (4), for “Commission” substitute “Secretary of State”.
- 37.** In section 32E (lump sum deductions: interim orders)**(25)**, in subsections (1), (4)(c), (5) and (6), for “Commission” (in each place) substitute “Secretary of State”.
- 38.** In section 32F (lump sum deductions: final orders)—
- (a) in subsection (1), for “Commission” (in each place) substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (b) in subsections (4), (5) and (6), for “Commission” substitute “Secretary of State”.
- 39.** In section 32H (orders under section 32F: deductions and payments), in subsections (1) to (4), for “Commission” (in each place) substitute “Secretary of State”.
- 40.** In section 32I (power to disapply sections 32G(1) and (2) and 32H(2)(b) and (4)(b)), in subsections (2) to (4), for “Commission’s” substitute “Secretary of State’s”.
- 41.** In section 32J (regulations about orders under section 32E or 32F), in subsection (2), for “Commission” (in each place) substitute “Secretary of State”.
- 42.** In section 32L (orders preventing avoidance)**(26)**, in subsections (1) and (2), for “Commission” substitute “Secretary of State”.
- 43.** In section 33 (liability orders), in subsections (1)(b), (2), (3) and (5), for “Commission” substitute “Secretary of State”.
- 44.** In section 34 (regulations about liability orders), in subsections (1)(a) and (c) and (2), for “Commission” substitute “Secretary of State”.

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**(24)** Sections 32A to 32D were inserted by section 22 of the 2008 Act.

**(25)** Sections 32E to 32K were inserted by section 23 of the 2008 Act.

**(26)** Section 32L was inserted by section 24 of the Child Maintenance and Other Payments Act 2008 (c.6) (“the 2008 Act”).

- 45.** In section 35 (enforcement of liability orders by taking control of goods)—
- (a) in subsection (1), for “Commission” substitute “Secretary of State”; and
  - (b) in subsection (3), for “Commission” substitute “Secretary of State” and for “its” substitute “the”.
- 46.** In section 37(2) (regulations about liability orders: Scotland), for “Commission” substitute “Secretary of State”.
- 47.** In section 38 (enforcement of liability orders by diligence), in subsection (1)(a), for “Commission” substitute “Secretary of State”.
- 48.** In section 39A (commitment to prison and disqualification from driving)(**27**)—
- (a) in subsection (1), for “Commission” substitute “Secretary of State” and for the second “it” substitute “the Secretary of State”; and
  - (b) in subsection (4), for “Commission” substitute “Secretary of State” and for the first “it” substitute “the Secretary of State”.
- 49.** In section 40B (disqualification from driving: further provision)—
- (a) in subsections (5), (6), (7) and (8), for “Commission” (in each place) substitute “Secretary of State”; and
  - (b) in subsection (9), for “Commission” substitute “Secretary of State” and for the second “it” substitute “the Secretary of State”.
- 50.** In section 41 (arrears of child support maintenance)—
- (a) in subsection (1), for “Commission” substitute “Secretary of State”;
  - (b) in subsection (2), for “Commission” substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”; and
  - (c) in subsection (6), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”.
- 51.** In section 41A (as substituted by the Child Support, Pensions and Social Security Act 2000) (penalty payments)(**28**)—
- (a) in subsections (1), (2) and (4)(b), for “Commission” substitute “Secretary of State”; and
  - (b) in subsection (6), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”.
- 52.** In section 41B (repayment of overpaid child support maintenance)(**29**)—
- (a) in subsection (1), for “Commission” substitute “Secretary of State”;
  - (b) in subsection (1A), for “Commission” substitute “Secretary of State” and for the third “it” substitute “the Secretary of State”;
  - (c) in subsection (2), for “Commission” (in both places) substitute “Secretary of State”;
  - (d) in subsection (3), for “Commission” substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”;
  - (e) in subsections (4), (5) and (6)(a), for “Commission” (in each place) substitute “Secretary of State”; and

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(27) Sections 39A and 40B were inserted by section 16 of the Child Support, Pensions and Social Security Act 2000 (c.19) (“the 2000 Act”) and amended by the 2008 Act.

(28) Section 41A was substituted by section 18 of the 2000 Act and amended by the 2008 Act.

(29) Section 41B was inserted by section 23 of the Child Support Act 1995 (c.34) (“the 1995 Act”) and amended by the 2000 Act and the 2008 Act.

- (f) in subsection (9), for “Commission” substitute “Secretary of State” and for “it” substitute “the Secretary of State”.
- 53.** In section 41C (power to treat liability as satisfied)(**30**), in subsections (1)(a) and (b) and (3), for “Commission” substitute “Secretary of State”.
- 54.** In section 43A(2)(a) (recovery of arrears from deceased’s estate)(**31**), for “Commission” substitute “Secretary of State”.
- 55.** In section 44 (jurisdiction), in subsections (1) and (4), for “Commission” substitute “Secretary of State”.
- 56.** In section 46A(1) (finality of decisions)(**32**), omit “the Commission,”.
- 57.** In section 46B(1)(a) (matters arising as respects decisions), for “Commission” substitute “Secretary of State”.
- 58.** In section 48(1) (right of audience)(**33**), for “Commission” (in both places) substitute “Secretary of State”.
- 59.** In section 50 (unauthorised disclosure of information)(**34**)—
- (a) omit subsection (1A)(d);
  - (b) in subsection (1A)(e), for “Commission” substitute “Secretary of State”;
  - (c) omit subsection (7)(ba); and
  - (d) in subsection (7)(c), for “, the Secretary of State or the person appointed to chair the Commission” substitute “or the Secretary of State”.
- 60.** In section 50A (use of computers)(**35**)—
- (a) for “Commission” substitute “Secretary of State”; and
  - (b) for “Commission’s” substitute “Secretary of State’s”.
- 61.** In section 54 (interpretation), in subsection (1), omit the definition of “Commission”.
- 62.**—(1) Schedule 1 (calculations) is amended as follows.
- (2) In Part 1 (as substituted by Schedule 1 to the Child Support, Pensions and Social Security Act 2000) (calculation of weekly amount of child support maintenance)(**36**)—
- (a) in paragraph 7(3), for “Commission” substitute “Secretary of State”;
  - (b) in paragraph 10 (as it has effect before the coming into force of paragraph 9 of Schedule 4 to the 2008 Act), in sub-paragraph (2)—
    - (i) for “Commission” substitute “Secretary of State”; and
    - (ii) for “its” (in both places) substitute “the Secretary of State’s”; and
  - (c) in paragraph 10B(a), for “Commission” (in both places) substitute “Secretary of State”.
- (3) In Part 2 (maintenance calculations)(**37**)—
- (a) in paragraphs 12 and 13, for “Commission” substitute “Secretary of State”;

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(30) Section 41C was inserted by section 31 of the 2008 Act.

(31) Section 43A was inserted by section 38 of the 2008 Act.

(32) Sections 46A and 46B were inserted by section 86(1) of, and Schedule 7 to, the Social Security Act 1998 (c.14) (“the 1998 Act”) and amended by the 2000 Act and the 2008 Act.

(33) Section 48(1) was amended by the 1995 Act and the 2008 Act.

(34) Subsections (1A) to (1C) were inserted by section 57(1) of, and Schedule 7 to, the 2008 Act.

(35) Section 50A was inserted by section 13(4) of, and Schedule 3 to, the 2008 Act.

(36) Part 1 was substituted by section 1(3) of, and Schedule 1 to, the 2000 Act and amended by the 2008 Act.

(37) Part 2 was amended by the 1998 Act, the 2000 Act and the 2008 Act.

- (b) in paragraph 15—
  - (i) for “Commission” substitute “Secretary of State”; and
  - (ii) for “it” substitute “the Secretary of State”; and
- (c) in paragraph 16(10), for “Commission” (in both places) substitute “Secretary of State”.

**63.** In Schedule 4A (as substituted by Schedule 2 to the Child Support, Pensions and Social Security Act 2000) (applications for a variation)(**38**), in paragraph 4, for “Commission” (in both places) substitute “Secretary of State”.

### **Social Security Act 1998**

- 64.** In the Social Security Act 1998(**39**)—
- (a) in section 3(1A)(aa) (use of information), omit “in Northern Ireland”; and
  - (b) in section 15A(2) (functions of senior president of tribunals), omit “and the Child Maintenance and Enforcement Commission” (in both places).

### **Regulation of Investigatory Powers Act 2000**

**65.** In the Regulation of Investigatory Powers Act 2000(**40**), omit paragraph 28A (and the preceding heading) of Part II of Schedule 1 (relevant authorities for the purposes only of section 28).

### **Employment Act 2002**

- 66.** In section 13 of the Employment Act 2002(**41**) (supply of information held by the Board), in subsection (2)—
- (a) in paragraphs (a) and (b), omit “the Child Maintenance and Enforcement Commission”; and
  - (b) in the final words, omit “and in relation to the Child Maintenance and Enforcement Commission, any function of that Commission”.

### **Sexual Offences Act 2003**

- 67.** The Sexual Offences Act 2003(**42**) is amended as follows.
- 68.** In section 94 (supply of information to Secretary of State etc for verification)—
- (a) in subsection (2), omit paragraph (aa);
  - (b) in subsection (2)(c), omit “, the Child Maintenance and Enforcement Commission”;
  - (c) in subsection (4)(a)(i), omit “, the Child Maintenance and Enforcement Commission”; and
  - (d) in the definition of “relevant function” in subsection (8), omit paragraph (aa).
- 69.** In section 95 (supply of information by Secretary of State etc)—
- (a) in subsection (1), omit paragraph (aa); and
  - (b) in subsection (3)(a), omit “, the Child Maintenance and Enforcement Commission”.

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(38) Schedule 4A was substituted by section 6(1) of, and Schedule 2 to, the 2000 Act and amended by the 2008 Act.

(39) 1998 c.14. Subsection 3(1A) was inserted by section 236 of, and Schedule 10 to, the Pensions Act 2004 (c.35) and amended by the 2008 Act. Section 15A was inserted by S.I. 2008/2833.

(40) 2000 c.23. Paragraph 28A was inserted by S.I. 2010/521.

(41) 2002 c.22.

(42) 2003 c.42. Sections 94 and 95 were amended by S.I. 2008/2656.

## **Child Maintenance and Other Payments Act 2008**

- 70.** The 2008 Act is amended as follows.
- 71.** Omit sections 1 to 5 and Schedule 1 (the Commission).
- 72.**—(1) Section 6 (fees) is amended as follows.
- (2) In subsections (1) and (5), for “Commission” substitute “Secretary of State”.
- (3) In subsection (7), for “Commission” substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”.
- 73.** Omit section 7 (agency arrangements and provision of services).
- 74.**—(1) Section 8 (contracting out) is amended as follows.
- (2) In subsection (1)—
- (a) for the first “Commission” substitute “Secretary of State relating to child support”; and
- (b) for the second “Commission” substitute “Secretary of State”.
- (3) In subsections (3)(b) and (c), (4), (5)(a), (6) and (7), for “Commission” substitute “Secretary of State”.
- 75.** Omit sections 9 to 12 (the Commission).
- 76.** Omit sections 13 and 14 and Schedule 2 (transfer of child support functions to the Commission).
- 77.** In section 17 (power to regulate supersession), in subsection (3)(b) to be substituted in section 17 of the 1991 Act, for “Commission” substitute “Secretary of State” and for “its” substitute “the Secretary of State’s”.
- 78.**—(1) Section 18(2) (determination of applications for a variation) is amended as follows.
- (2) In subsection (2A)(b) to be inserted into section 28D of the 1991 Act, for “Commission” substitute “Secretary of State” and for “its” substitute “the”.
- (3) In subsection (2B) to be so inserted, for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”.
- 79.**—(1) In section 25 (administrative liability orders), section 32M to be inserted into the 1991 Act is amended as follows.
- (2) In subsection (1), for “Commission” substitute “Secretary of State” and for the second “it” substitute “the Secretary of State”.
- (3) In subsection (2), for “Commission” substitute “Secretary of State”.
- 80.**—(1) Section 27 (disqualification for holding or obtaining travel authorisation) is amended as follows.
- (2) In section 39B to be inserted into the 1991 Act—
- (a) in subsection (1), for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and
- (b) in subsections (2), (7)(a) and (11), for “Commission” (in each place) substitute “Secretary of State”.
- (3) In section 39C to be so inserted, in subsection (5), for “Commission” substitute “Secretary of State”.

(4) In section 39E to be so inserted, in subsections (1), (2), (3) and (5), for “Commission” (in each place) substitute “Secretary of State”.

**81.**—(1) Section 28 (curfew orders) is amended as follows.

(2) In section 39H to be inserted into the 1991 Act—

(a) in subsection (1), for “Commission” (in both places) substitute “Secretary of State” and for “it” substitute “the Secretary of State”; and

(b) in subsections (2) to (5), for “Commission” substitute “Secretary of State”.

(3) In section 39K to be so inserted, in subsections (2), (4), (5) and (6), for “Commission” substitute “Secretary of State”.

(4) In section 39M to be so inserted, in subsection (2)(a), for “Commission” substitute “Secretary of State”.

(5) In section 39N to be so inserted, in subsections (1), (7) and (8), for “Commission” substitute “Secretary of State”.

(6) In section 39P to be so inserted, in subsection (2)(g), for “Commission” substitute “Secretary of State”.

(7) In section 39Q to be so inserted, in subsection (2)(c), for “Commission” substitute “Secretary of State”.

**82.**—(1) Section 29 (commitment to prison) is amended as follows.

(2) In subsection (1), in the provisions to be inserted into section 40 of the 1991 Act—

(a) in subsection (2A), for “Commission” (in both places) substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”; and

(b) in subsections (2B) and (2D)(a), for “Commission” substitute “Secretary of State”.

(3) In subsection (3), in the provisions to be inserted into section 40A of the 1991 Act—

(a) in subsection (A1), for “Commission” (in both places) substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”; and

(b) in subsections (A2) and (A4)(a), for “Commission” substitute “Secretary of State”.

**83.**—(1) In section 30(1) (disqualification for driving), the provisions to be substituted in section 40B of the 1991 Act are amended as follows.

(2) In subsection (A1), for “Commission” (in both places) substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”.

(3) In subsections (A3) and (A5)(a), for “Commission” substitute “Secretary of State”.

**84.**—(1) In section 32 (power to accept part payment of arrears in full and final satisfaction), section 41D to be inserted into the 1991 Act is amended as follows.

(2) In subsections (1) and (3), for “Commission” substitute “Secretary of State”.

(3) In subsection (4), for “Commission” (in each place) substitute “Secretary of State” and for “it” (in both places) substitute “Secretary of State”.

**85.** In section 33 (power to write off arrears), in section 41E to be inserted into the 1991 Act, in subsection (1), for “Commission” substitute “Secretary of State” and for the second “it” substitute “the Secretary of State”.

**86.**—(1) In section 34 (transfer of arrears), section 49A to be inserted into the 1991 Act is amended as follows.

- (2) In subsection (1), for “Commission” substitute “Secretary of State”.
- (3) In subsection (2)(a), for “Commission’s” substitute “Secretary of State’s”.
- (4) In subsection (3), for “Commission” substitute “Secretary of State”.
- (5) In subsection (4), for “Commission” (in each place) substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”.
- (6) In subsections (5)(a), (9)(d) and (10)(b) and (c), for “Commission” substitute “Secretary of State”.

**87.**—(1) In section 39 (disclosure of information relating to family proceedings), section 49B to be inserted into the 1991 Act is amended as follows.

- (2) In subsection (1)—
  - (a) for “Commission” (in the first place) substitute “Secretary of State for the purposes of the Secretary of State’s functions relating to child support”; and
  - (b) for “Commission” (in the second place) substitute “Secretary of State for those purposes”.
- (3) In subsections (2)(c) and (3)(b), for “Commission’s” substitute “Secretary of State’s”.

**88.** In section 40 (disclosure of information to credit reference agencies), in section 49D to be inserted into the 1991 Act, in subsections (1), (2)(a) and (4), for “Commission” substitute “Secretary of State”.

**89.** Omit section 44 and Schedule 6 (use of information).

**90.** In section 55 (regulations and orders: general), in subsection (5)—

- (a) insert “or” at the end of paragraph (a); and
- (b) omit subsection (5)(c) and the preceding “or”.

**91.** In section 56 (general interpretation), omit subsection (1).

**92.** In section 59 (transition), omit subsection (1).

**93.** In section 61 (extent), omit subsection (2)(b).

**94.** In Schedule 3—

- (a) omit paragraphs 40(b) and (c) (amendment and temporary modification of section 38(1) of the 1991 Act);
- (b) omit paragraph 55 (transitional).

**95.**—(1) Schedule 4 (changes to the calculation of maintenance) is amended as follows.

(2) In paragraph 8(4), in the inserted paragraph 9(2), for “Commission” substitute “Secretary of State”.

(3) In paragraph 9, in the substituted paragraph 10(2), for “Commission” substitute “Secretary of State” and for “its” (in both places) substitute “Secretary of State’s”.

**96.**—(1) Schedule 5 (maintenance calculations: transfer of cases to new rules) is amended as follows.

- (2) In paragraph 1(1), for “Commission” substitute “Secretary of State”.
- (3) In paragraph 2(2)(e)—
  - (a) for “Commission” substitute “Secretary of State”; and
  - (b) omit “and approved by the Secretary of State”.
- (4) In paragraphs 3(2)(b) and 6(3), for “Commission” substitute “Secretary of State”.

**97.**—(1) In Schedule 7 (minor and consequential amendments), paragraph 1 is amended as follows.

(2) In sub-paragraph (3), in the inserted paragraph (ba), for “Commission” substitute “Secretary of State”.

(3) In sub-paragraph (6), in the inserted subsection (7A), for “Commission” substitute “Secretary of State”.

### **Welfare Reform Act 2009**

**98.** The Welfare Reform Act 2009<sup>(43)</sup> is amended as follows.

**99.**—(1) Section 51 (disqualification for holding etc driving licence or travel authorisation) is amended as follows.

(2) In subsection (2)(a), for “Commission” (in both places) substitute “Secretary of State”.

(3) In subsection (2)(b), in subsections (4) and (7) of the provisions to be substituted in section 39B of the 1991 Act, for “Commission” substitute “Secretary of State”.

(4) In subsection (4), in section 39CB to be inserted into the 1991 Act—

(a) in subsection (5)(a), for “Commission” substitute “Secretary of State” and for “its” substitute “the”; and

(b) in subsection (6)(a), for “Commission” substitute “Secretary of State”.

(5) In subsection (5), in section 39DA to be inserted into the 1991 Act—

(a) in the title, for “Commission’s” substitute “Secretary of State’s”;

(b) in subsection (1), for “Commission” (in both places) substitute “Secretary of State” and omit “its”;

(c) in subsection (2), for “Commission” substitute “Secretary of State” and for “Commission’s” substitute “Secretary of State’s”; and

(d) in subsection (3), for “Commission’s” substitute “Secretary of State’s”.

**100.**—(1) Schedule 5 (consequential amendments etc.) is amended as follows.

(2) In paragraph 3(2)(a) and (b), (3)(a) and (b) and (4)(a), for “Commission” substitute “Secretary of State”.

(3) In paragraph 5—

(a) in sub-paragraph (2)(b) and (c), for “Commission” substitute “Secretary of State”;

(b) in sub-paragraph (3), in the inserted subsection (1A), for “Commission” substitute “Secretary of State”; and

(c) in sub-paragraph (4)(b) and (c), for “Commission” substitute “Secretary of State”.

(4) In paragraph 6, in the substituted section 39F of the 1991 Act, in subsection (2)(e) and (f), for “Commission” substitute “Secretary of State”.

### **Welfare Reform Act 2012**

**101.** The Welfare Reform Act 2012<sup>(44)</sup> is amended as follows.

**102.** In section 127 (information-sharing between Secretary of State and HMRC), in subsection (7), in the definition of “departmental functions”—

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<sup>(43)</sup> 2009 c.24.

<sup>(44)</sup> 2012 c.5.

- (a) omit the “or” at the end of paragraph (b); and
- (b) after paragraph (c) insert—
  - “or
  - (d) child support;”.

**103.**—(1) Section 128 (information-sharing between Secretary of State and DPP) is amended as follows.

- (2) In subsection (1), after “information” insert “or child support information”.
- (3) In subsection (3), in paragraphs (a), (b) and (c), after “matters” insert “or child support”.
- (4) In subsection (6), insert the following definition at the appropriate place—
  - ““child support information” means information held for the purposes of any of the Secretary of State’s functions relating to child support;”.

**104.** In section 129 (unlawful disclosure of information supplied under section 128), in subsection (2)(c), after “section 128” insert “or child support”.

**105.**—(1) Section 136 (supporting maintenance agreements) is amended as follows.

- (2) In subsection (1), in subsection (2A) to be inserted into section 9 of the 1991 Act—
  - (a) for “Commission” (in the first place) substitute “Secretary of State”;
  - (b) in paragraph (a), for “it” substitute “the Secretary of State”; and
  - (c) in paragraph (b), for “Commission” substitute “Secretary of State”.
- (3) In subsection (2), in sub-paragraph (3) to be inserted into paragraph 3 of Schedule 5 to the 2008 Act, for “Commission” (in both places) substitute “Secretary of State”.

**106.**—(1) Section 137 (collection of child support maintenance) is amended as follows.

- (2) In subsection (2)(b), in subsection (2A) to be inserted into section 4 of the 1991 Act, for “Commission” (in both places) substitute “Secretary of State”.
- (3) In subsection (3)(b), in subsection (3A) to be inserted into section 7 of the 1991 Act, for “Commission” (in both places) substitute “Secretary of State”.

**107.**—(1) In section 138 (indicative maintenance calculations), section 9A to be inserted into the 1991 Act is amended as follows.

- (2) In subsections (1), (2) and (3), for “Commission” substitute “Secretary of State”.
- (3) In subsection (5), for “Commission” substitute “Secretary of State” and for “it” (in both places) substitute “the Secretary of State”.
- (4) In subsection (6), for “Commission” substitute “Secretary of State”.

**108.**—(1) Schedule 11 (power to require consideration of revision before appeal) is amended as follows.

- (2) In paragraph 5(2), in the inserted subsections (2A) and (2B), for “Commission” (in each place) substitute “Secretary of State”.
- (3) In paragraph 6(2), in the inserted subsections (3A) and (3B), for “Commission” (in each place) substitute “Secretary of State”.

## Other Acts

**109.** In each of the following, omit the entry relating to the Child Maintenance and Enforcement Commission—

- (a) Schedule 2 to the Parliamentary Commissioner Act 1967**(45)** (departments etc subject to investigation);
- (b) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975**(46)** (bodies of which all members are disqualified);
- (c) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975**(47)** (bodies of which all members are disqualified);
- (d) Part 6 of Schedule 1 to the Freedom of Information Act 2000**(48)** (other public bodies and offices – general);
- (e) Part 1 of Schedule 19 to the Equality Act 2010**(49)** (public authorities: general); and
- (f) Schedule 1 to the Public Bodies Act 2011**(50)** (power to abolish: bodies and offices).

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**(45)** 1967 c.13.

**(46)** 1975 c.24.

**(47)** 1975 c.25.

**(48)** 2000 c.36.

**(49)** 2010 c.15.

**(50)** 2011 c.24.