
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force further provisions of the Child Support, Pensions and Social Security Act 2000 which brings into force the Child Support Act 1991 (“the 1991 Act”) as follows.

Article 2(1) commences provisions relating to changes to the child support system in sections 13, 14, 15 and 22(1) to (3) on 31st January 2001. Section 13 inserts a new section 14A into the 1991 Act which makes it a criminal offence to fail to provide information for child support purposes or to provide false information. Section 14 amends section 15 of the 1991 Act with regard to the powers of inspectors.

Section 15 adds to section 26(2) of the 1991 Act further cases where parentage may be presumed, including where the alleged parent refuses to take a scientific test or such a test shows there is no reasonable doubt he is the parent. Section 22(1) to (3) amends section 44 of the 1991 Act to extend the jurisdiction of that Act to non-resident parents who are not habitually resident in the United Kingdom but are in certain types of employment.

Article 2(2) commences section 11 on 15th February 2001. Section 11 inserts a new section 23A into the 1991 Act (“the 1991 Act”) to enable the appeal tribunal to redetermine cases in certain circumstances.

Article 2(3) commences sections 16 and 17 on 2nd April 2001. These sections insert new sections 39A, 40A and 40B into the 1991 Act and amend section 40 of that Act. The provisions give power to magistrates courts in England and Wales, and the sheriff in Scotland, where there has been wilful refusal or culpable neglect to pay child support maintenance, to commit the liable person to prison, or make an order for him to be disqualified from holding or obtaining a driving licence, as they consider appropriate.

The impact on business of the commencement provisions in the Child Support, Pensions and Social Security Act 2000 is detailed in the Regulatory Impact Assessment (as revised) relating to the Child Support, Pensions and Social Security Bill (which was introduced in the House of Commons on 1st December 1999). A copy of that Assessment has been placed in the libraries of both Houses of Parliament and can be obtained from the Department of Social Security, Regulatory Impact Unit, 3rd Floor, Adelphi, 1-11 John Adam Street, London WC2N 6HT.