
STATUTORY INSTRUMENTS

2003 No. 346 (C. 21)

FAMILY LAW

CHILD SUPPORT

**The Child Support, Pensions and Social Security
Act 2000 (Commencement No.13) Order 2003**

Made - - - - 22nd February 2003

The Secretary of State for Work and Pensions, in exercise of the powers conferred upon him by section 86(2) of the Child Support, Pensions and Social Security Act 2000⁽¹⁾ and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation

1. This Order may be cited as the Child Support, Pensions and Social Security Act 2000 (Commencement No.13) Order 2003.

Amendment of earlier Order

2. For article 6 of the Child Support, Pensions and Social Security Act 2000 (Commencement No. 12) Order 2003 (appointed day for section 23, and associated repeal)⁽²⁾ there shall be substituted the following article:—

“Appointed day for section 23 and associated repeal

6.—(1) The day appointed for the coming into force of the provisions specified in paragraph (2) for the purposes of cases specified in paragraph (3) is—

- (a) as respects any case specified in paragraph (3)(a) where, before 3rd March 2003, relevant maintenance is paid or payable—
 - (i) where 3rd March 2003 is the day on which the maintenance calculation in relation to that case takes effect, 3rd March 2003,
 - (ii) where the maintenance calculation in relation to that case takes effect on a day later than 3rd March 2003, that later day;
- (b) as respects any other case specified in paragraph (3)(a), 3rd March 2003;

(1) 2000 c. 19.

(2) S.I. 2003/192 (C. 11).

- (c) as respects any case which is specified in paragraph (3)(b)—
 - (i) where 3rd March 2003 is the case conversion date in relation to that case, 3rd March 2003,
 - (ii) where a day later than 3rd March 2003 is the case conversion date in relation to that case, that later day;
 - (d) as respects any case specified in paragraph (3)(c) which is referred to—
 - (i) in paragraph (a) of article 4, the day on which the claim for the benefit mentioned in that paragraph is made,
 - (ii) in paragraph (b) of that article, the day on which the Secretary of State is notified that the authorisation mentioned in sub-paragraph (iii) of that paragraph is withdrawn,
 - (iii) in paragraph (c) of that article, 3rd March 2003;
 - (e) as respects any case which is specified in sub-paragraph (d) of paragraph (3), the day on which the maintenance referred to in that sub-paragraph is first paid.
- (2) The provisions mentioned in paragraph (1) are—
- (a) section 23 (section 10 of the Child Support Act 1995⁽³⁾ to cease to have effect); and
 - (b) Part I of Schedule 9 in so far as it relates to the repeal of section 10 of the Child Support Act 1995.
- (3) The cases mentioned in paragraph (1) are—
- (a) cases referred to in sub-paragraph (a) of article 3(1);
 - (b) cases referred to in sub-paragraph (b) or (c) of article 3(1);
 - (c) cases referred to in paragraph (a), (b) or (c) of article 4;
 - (d) cases to which sub-paragraphs (a) to (c) do not apply where, on or after 3rd March 2003, relevant maintenance is first paid.
- (4) For the purposes of sub-paragraph (d) of paragraph (3), a case shall not be regarded as one to which that sub-paragraph does not apply by reason only of the fact that relevant maintenance was paid or payable before 3rd March 2003—
- (a) in respect of the care of a different child;
 - (b) under an earlier agreement; or
 - (c) by virtue of an earlier order of the court.
- (5) In this article—
- “case conversion date” means the date which is, by virtue of regulation 15 of the Child Support (Transitional Provisions) Regulations 2000⁽⁴⁾, the case conversion date in relation to that case; and
- “relevant maintenance” means maintenance, other than child support maintenance, which is paid or payable—
- (a) to a person who has the care of a child in the United Kingdom;
 - (b) in respect of the care of the child; and
 - (c) under an agreement (whether enforceable or not) between that person and the person by whom the maintenance is payable, or by virtue of an order of the court.”.

⁽³⁾ 1995 c. 34.

⁽⁴⁾ S.I. 2000/3186, amended by S.I. 2002/1204 and 2003/328 and 347.

Signed by authority of the Secretary of State for Work and Pensions.

22nd February 2003.

P. Hollis
Parliamentary Under-Secretary of State,
Department for Work and Pensions

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes further provision as to the coming into force of Part I of the Child Support, Pensions and Social Security Act 2000 (c. 19) (“the Act”).

In particular, this Order amends the provision made in an earlier Order as to the day appointed for the coming into force of section 23 of the Act (which provides for section 10 of the Child Support Act 1995 to cease to have effect) and the associated repeal of that section 10 for the purposes of different categories of cases where child support and other forms of maintenance have been, or become, payable in respect of a child.

This Order does not impose any new costs on business.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Child Support, Pensions and Social Security Act 2000 have been brought into force by the Child Support, Pensions and Social Security Act 2000 (Commencement No.1) Order 2000 (S.I.2000/2666 (C.74)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.2) Order 2000 (S.I.2000/2950 (C.87))(5), the Child Support, Pensions and Social Security Act 2000 (Commencement No.3) Order 2000 (S.I.2000/2994 (C.94)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.4) Order 2000 (S.I.2000/3166 (C.101))(6), the Child Support, Pensions and Social Security Act 2000 (Commencement No.5) Order 2000 (S.I.2000/3354 (C.112)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.6) Order 2001 (S.I.2001/153 (C.8)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.7) Order 2001 (S.I.2001/774 (C.28)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.8) Order 2001 (S.I.2001/1252 (C.45)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.9) Order 2001 (S.I.2001/2295 (C.76))(7), the Child Support, Pensions and Social Security Act 2000 (Commencement No.10) Order 2001 (S.I.2001/2619 (C.86)), the Child Support, Pensions and Social Security Act 2000 (Commencement No.11) Order 2002 (S.I.2002/437 (C.12)) and the Child Support, Pensions and Social Security Act 2000 (Commencement No.12) Order 2003 (S.I.2003/192 (C.11)).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
* (8) Section 1(1) and (2)	3rd March 2003	2003/192
*Section 1(3)	10th November 2000	2000/2994
	3rd March 2003	2003/192
*Section 2(1) and (2)	4th February 2003	2003/192
	3rd March 2003	2003/192

(5) S.I. 2000/2950 (C. 87) was amended by article 3 of S.I. 2000/3166 (C. 101).

(6) S.I. 2000/3166 (C. 101) was amended by article 3 of S.I. 2001/1252 (C. 45).

(7) S.I. 2001/2295 (C. 76) was amended by article 2 of S.I. 2002/437 (C. 12).

(8) In this note an asterisk indicates that the provision or provisions to which it relates has or have been commenced in part, or for certain purposes only.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
*Section 2(3)	3rd March 2003	2003/192
*Sections 3 to 6	10th November 2000	2000/2994
	3rd March 2003	2003/192
*Section 7	10th November 2000	2000/2994
	1st January 2001	2000/2994
	3rd March 2003	2003/192
*Section 8	3rd March 2003	2003/192
*Sections 9 and 10	10th November 2000	2000/2994
	3rd March 2003	2003/192
Section 11	15th February 2001	2000/3354
*Section 12	3rd March 2003	2003/192
Sections 13 to 15	31st January 2001	2000/3354
Sections 16 and 17	10th November 2000	2000/2994
	2nd April 2001	2000/3354
*Sections 18 to 21	10th November 2000	2000/2994
	3rd March 2003	2003/192
Section 22(1) and (2)	31st January 2001	2000/3354
Section 22(3)	10th November 2000	2000/2994
	31st January 2001	2000/3354
*Section 22(4)	3rd March 2003	2003/192
*Section 23	3rd March 2003	2003/192
*Section 25	10th November 2000	2000/2994
	3rd March 2003	2003/192
*Section 26	10th November 2000	2000/2994
	1st January 2001	2000/2994
	31st January 2001	2000/3354
	2nd April 2001	2001/1252
	4th February 2003	2003/192
	3rd March 2003	2003/192
Section 27	10th November 2000	2000/2994
	1st January 2001	2000/2994
Section 29	10th November 2000	2000/2994
	3rd March 2003	2003/192
Sections 30 and 31	8th January 2001	2000/2950

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Section 32	8th January 2001	2000/2950
		2000/3166
	9th April 2001	2001/153
Section 33(1) and (2)	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Section 33(3) and (4)	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
Sections 34 and 35	8th January 2001	2000/2950
		2000/3166
	25th January 2001	2001/153
	6th April 2002	2001/153
Section 36	1st November 2000	2000/2950
Section 37	1st December 2000	2000/3166
Section 40	8th January 2001	2000/3166
Section 41	29th September 2000	2000/2666
Section 42	1st December 2000	2000/3166
Sections 47 and 48	1st March 2002	2002/437
	1st April 2002	2002/437
*Section 49(1)	1st March 2002	2002/437
	1st April 2002	2002/437
Section 49(2) and (3)	1st March 2002	2002/437
	1st April 2002	2002/437
Section 50	1st March 2002	2002/437
	1st April 2002	2002/437
Section 51	1st December 2000	2000/3166
*Section 52	1st January 2001	2000/3166
Section 53	1st December 2000	2000/3166
*Section 54	1st March 2002	2002/437

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 55	23rd July 2001	2001/2295
*Section 56	1st November 2000	2000/2950
	1st January 2001	2000/3166
	12th February 2001	2000/3166
	1st June 2001	2000/3166
	2nd April 2001	2001/1252
Sections 57 and 58	15th November 2000	2000/2994
	9th April 2001	2000/2994
Section 59	1st January 2001	2000/2994
Section 60	9th April 2001	2000/2994
Section 61	1st January 2001	2000/2994
*Sections 62 to 65	1st December 2000	2000/2950
	15th October 2001	2001/2619
*Section 66	15th October 2001	2001/2619
Section 67	1st November 2000	2000/2950
	2nd April 2001	2001/1252
*Section 68	1st November 2000	2000/2950
	2nd July 2001	2001/1252
Section 69	1st November 2000	2000/2950
	2nd July 2001	2001/1252
Section 70	26th June 2001	2001/2295
	2nd July 2001	2001/2295
Section 71	1st November 2000	2000/2950
	1st October 2001	2001/2295
Section 72	9th October 2000	2000/2666
Section 73	1st November 2000	2000/2950
	1st December 2000	2000/2950
		2000/3166
Sections 82 and 83	1st April 2001	2001/774
*Schedules 1 and 2	10th November 2000	2000/2994
	3rd March 2003	2003/192
Schedule 3—		
*paragraphs 1 to 10	3rd March 2003	2003/192
*paragraph 11(1)	3rd March 2003	2003/192

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
*paragraph 11(2)	31st January 2001	2000/3354
	3rd March 2003	2003/192
*paragraph 11(3)	3rd March 2003	2003/192
*paragraph 11(4)	4th February 2003	2003/192
	3rd March 2003	2003/192
*paragraph 11(5) to (14)	3rd March 2003	2003/192
paragraph 11(15)	3rd March 2003	2003/192
*paragraph 11(16)	3rd March 2003	2003/192
paragraph 11(17)	1st January 2001	2000/2994
*paragraph 11(18)	10th November 2000	2000/2994
	3rd March 2003	2003/192
*paragraph 11(19) to (22)	3rd March 2003	2003/192
*paragraph 12	3rd March 2003	2003/192
paragraph 13(1)	2nd April 2001	2001/1252 *
paragraph 13(2)	3rd March 2003	2003/192
paragraph 13(3)	2nd April 2001	2001/1252
*paragraphs 14 and 15	3rd March 2003	2003/192
Schedule 4	8th January 2001	2000/2950
	25th January 2001	2000/3166
	6th April 2002	2001/153
Schedule 5—		
Part I—		
paragraphs 1 to 3, 7, 8(2), 9 and 12(1)	1st January 2001	2000/3166
paragraph 10	1st November 2000	2000/2950
paragraph 11	2nd April 2001	2001/1252
Part II	12th February 2001	2000/3166
	1st June 2001	2000/3166
	6th April 2002	2001/1252
Schedule 6	1st November 2000	2000/2950
	2nd April 2001	2001/1252
Schedule 7—		
Paragraphs 1 to 16, *18, 19 to 21, *22 and 23	1st November 2000	2000/2950
	2nd July 2001	2001/1252

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 8	1st April 2001	2001/774
Schedule 9—		
*Part I	2nd April 2001	2001/1252
	3rd March 2003	2003/192
Part II	8th April 2001	2001/153
Part III—		
Section (2)	1st March 2002	2002/437
	1st April 2002	2002/437
Section (3)	1st December 2000	2000/3166
Sections (4) to (9)	1st January 2001	2000/3166
Section (11)	6th April 2002	2002/437
Part IV	9th April 2001	2000/2994
Part VI	2nd April 2001	2001/1252
*Part VII	2nd July 2001	2001/1252
Part IX	1st April 2001	2001/774