



Child Support Act 1991

1991 CHAPTER 48

Reviews and appeals

27 Reference to court for declaration of parentage

(1) Where—

- (a) a child support officer is considering whether to make a maintenance assessment with respect to a person who is alleged to be a parent of the child, or one of the children, in question (“the alleged parent”);
- (b) the alleged parent denies that he is one of the child’s parents; and
- (c) the child support officer is not satisfied that the case falls within one of those set out in section 26(2),

the Secretary of State or the person with care may apply to the court for a declaration as to whether or not the alleged parent is one of the child’s parents.

- (2) If, on hearing any application under subsection (1), the court is satisfied that the alleged parent is, or is not, a parent of the child in question it shall make a declaration to that effect.
- (3) A declaration under this section shall have effect only for the purposes of this Act.
- (4) In this section “court” means, subject to any provision made under Schedule 11 to the Children Act 1989 (jurisdiction of courts with respect to certain proceedings relating to children) the High Court, a county court or a magistrates’ court.
- (5) In the definition of “relevant proceedings” in section 12(5) of the Civil Evidence Act 1968 (findings of paternity etc. as evidence in civil proceedings) the following paragraph shall be added at the end—
 - “(d) section 27 of the Child Support Act 1991.”
- (6) This section does not apply to Scotland.