



Child Support Act 1995

1995 CHAPTER 34

Application for a departure direction

4 Determination of applications.

In the 1991 Act, insert after section 28C—

“28D Determination of applications.

- (1) Where an application for a departure direction has not failed, the Secretary of State shall—
 - (a) determine the application in accordance with the relevant provisions of, or made under, this Act; or
 - (b) refer the application to a child support appeal tribunal for the tribunal to determine it in accordance with those provisions.
- (2) For the purposes of subsection (1), an application for a departure direction has failed if—
 - (a) it has lapsed or been withdrawn; or
 - (b) the Secretary of State has rejected it on completing a preliminary consideration under section 28B.
- (3) In dealing with an application for a departure direction which has been referred to it under subsection (1)(b), a child support appeal tribunal shall have the same powers, and be subject to the same duties, as would the Secretary of State if he were dealing with the application.”

Status:

Point in time view as at 05/10/1999.

Changes to legislation:

There are currently no known outstanding effects for the Child Support Act 1995, Section 4.