
STATUTORY INSTRUMENTS

1992 No. 1989

The Child Support (Collection and Enforcement) Regulations 1992

PART II

COLLECTION OF CHILD SUPPORT MAINTENANCE

Payment of child support maintenance

2.—(1) Where a maintenance assessment has been made under the Act and the case is one to which section 29 of the Act applies, the Secretary of State may specify that payments of child support maintenance shall be made by the liable person—

- (a) to the person caring for the child or children in question or, where an application has been made under section 7 of the Act, to the child who made the application;
- (b) to, or through, the Secretary of State; or
- (c) to, or through, such other person as the Secretary of State may, from time to time, specify.

(2) In paragraph (1) and in the rest of this Part, “liable person” means a person liable to make payments of child support maintenance.

Method of payment

3.—(1) Payments of child support maintenance shall be made by the liable person by whichever of the following methods the Secretary of State specifies as being appropriate in the circumstances—

- (a) by standing order;
- (b) by any other method which requires one person to give his authority for payments to be made from an account of his to an account of another’s on specific dates during the period for which the authority is in force and without the need for any further authority from him;
- (c) by an arrangement whereby one person gives his authority for payments to be made from an account of his, or on his behalf, to another person or to an account of that other person;
- (d) by cheque or postal order;
- (e) in cash.

(2) The Secretary of State may direct a liable person to take all reasonable steps to open an account from which payments under the maintenance assessment may be made in accordance with the method of payment specified under paragraph (1).

Interval of payment

4.—(1) The Secretary of State shall specify the day and interval by reference to which payments of child support maintenance are to be made by the liable person and may from time to time vary such day or interval.

(2) In specifying the day and interval of payment the Secretary of State shall have regard to all the circumstances and in particular to—

- (a) the needs of the person entitled to receive payment and the day and interval by reference to which any other income is normally received by that person;
- (b) the day and interval by reference to which the liable person's income is normally received; and
- (c) any period necessary to enable the clearance of cheques or otherwise necessary to enable the transmission of payments to the person entitled to receive them.

Transmission of payments

5.—(1) Payments of child support maintenance made through the Secretary of State or other specified person shall be transmitted to the person entitled to receive them in whichever of the following ways the Secretary of State specifies as being appropriate in the circumstances—

- (a) by a transfer of credit to an account nominated by the person entitled to receive the payments;
- (b) by cheque, girocheque or other payable order;
- (c) in cash.

(2) The Secretary of State shall specify the interval by reference to which the payments referred to in paragraph (1) are to be transmitted to the person entitled to receive them.

(3) The interval referred to in paragraph (2) may differ from the interval referred to in regulation 4 and may from time to time be varied by the Secretary of State.

(4) In specifying the interval for transmission of payments the Secretary of State shall have regard to all the circumstances and in particular to—

- (a) the needs of the person entitled to receive payment and the interval by reference to which any other income is normally received by that person;
- (b) any period necessary to enable the clearance of cheques or otherwise necessary to enable the transmission of payments to the person entitled to receive them.

Representations about payment arrangements

6. The Secretary of State shall, insofar as is reasonably practicable, provide the liable person and the person entitled to receive the payments of child support maintenance with an opportunity to make representations with regard to the matters referred to in regulations 2 to 5 and the Secretary of State shall have regard to those representations in exercising his powers under those regulations.

Notice to liable person as to requirements about payment

7.—(1) The Secretary of State shall send the liable person a notice stating—

- (a) the amount of child support maintenance payable;
- (b) to whom it is to be paid;
- (c) the method of payment; and
- (d) the day and interval by reference to which payments are to be made.

(2) A notice under paragraph (1) shall be sent to the liable person as soon as is reasonably practicable after—

- (a) the making of a maintenance assessment, and
- (b) after any change in the requirements referred to in any previous such notice.