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STATUTORY INSTRUMENTS

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**1996 No. 635**

**FAMILY LAW**

**CHILD SUPPORT**

**The Child Support Departure Direction  
(Anticipatory Application) Regulations 1996**

*Made* - - - - - *7th March 1996*

*Laid before Parliament* *11th March 1996*

*Coming into force* *9th April 1996*

**THE CHILD SUPPORT DEPARTURE DIRECTION  
(ANTICIPATORY APPLICATION) REGULATIONS 1996**

PART I

General

1. Citation, commencement and interpretation
2. Applications for a departure direction and the determination of applications
3. Determination of amounts

PART II

Procedure on an application for a departure direction and preliminary consideration

4. Application for a departure direction
5. Amendment or withdrawal of application
6. Provision of information
7. Rejection of application on completion of a preliminary consideration
8. Procedure in relation to the determination of an application
9. Disclosure of information by a child support officer
10. Departure directions and interim maintenance assessments
11. Lapse of an application
12. Meaning of “benefit” for the purposes of section 28E of the Act

*Status: This is the original version (as it was originally made).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

### PART III

#### Special expenses

13. Costs incurred in travelling to work
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16. Debts incurred before the absent parent became an absent parent
17. Pre-1993 financial commitments
18. Costs incurred in supporting certain children
19. Special expenses for a case falling within regulation 13, 14, 16 or 17
20. Application for a departure direction in respect of special expenses other than those with respect to which a direction has already been given

### PART IV

#### Property or capital transfers

21. Prescription of certain terms for the purposes of paragraphs 3 and 4 of Schedule 4B to the Act
22. Value of a transfer of property and its equivalent weekly value for a case falling within paragraph 3 of Schedule 4B to the Act

### PART V

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24. Diversion of income
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29. Travel costs to be disregarded

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Factors to be taken into account for the purposes of section 28F of the Act

30. Factors to be taken into account and not to be taken into account in determining whether it would be just and equitable to give a departure direction

### PART VII

#### Effective date and duration of a departure direction

31. Refusal to give a departure direction under section 28F(4) of the Act
32. Effective date of a departure direction
33. Cancellation of a departure direction following a review under section 16, 17, 18 or 19 of the Act or on a change of circumstances
34. Cancellation of a departure direction on recognition of an error
35. Termination and suspension of departure directions

## PART VIII

### Maintenance assessment following a departure direction

36. Effect of a departure direction—general
37. Effect of a departure direction in respect of special expenses—exempt income
38. Effect of a departure direction in respect of special expenses—protected income
39. Effect of a departure direction in respect of a transfer of property
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## PART IX

### Maintenance assessment following a departure direction: particular cases

41. Child support maintenance payable following a departure direction which results in a decrease in an absent parent's assessable income
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43. Maintenance assessment following a departure direction where there is a phased maintenance assessment  
Signature

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### SCHEDULE — Equivalent weekly value of a transfer of property

1. (1) Subject to paragraphs 3 and 4, the equivalent weekly...
2. The Table referred to in paragraph 1(1) is set out...
3. The equivalent weekly value of the property transferred shall be...
4. The Secretary of State may determine a lower equivalent weekly...
5. In this Schedule, "maintenance" has the same meaning as in...

### Explanatory Note