
STATUTORY INSTRUMENTS

2001 No. 156

The Child Support (Variations) Regulations 2000

PART VIII

MISCELLANEOUS

Regular payments condition

31.—(1) For the purposes of section 28C(2)(b) of the Act (payments of child support maintenance less than those specified in the interim maintenance decision) the payments shall be those fixed by the interim maintenance decision or the maintenance calculation in force, as the case may be, adjusted to take account of the variation applied for by the non-resident parent as if that variation had been agreed.

(2) The Secretary of State may refuse to consider the application for a variation where a regular payments condition has been imposed and the non-resident parent has failed to comply with it in the circumstances to which paragraph (3) applies.

(3) This paragraph applies where the non-resident parent has failed to comply with the regular payments condition and fails to make such payments which are due and unpaid within one month of being required to do so by the Secretary of State or such other period as the Secretary of State may in the particular case decide.

Meaning of “benefit” for the purposes of section 28E of the Act

32. For the purposes of section 28E of the Act, “benefit” means income support, income-based jobseeker’s allowance, housing benefit and council tax benefit.