
STATUTORY INSTRUMENTS

2001 No. 156

The Child Support (Variations) Regulations 2000

PART IV

PROPERTY OR CAPITAL TRANSFERS

Prescription of terms

16.—(1) For the purposes of paragraphs 3(1)(a) and (b) of Schedule 4B to the Act—

(a) a court order means an order made—

(i) under one or more of the enactments listed in or prescribed under section 8(11) of the Act; and

(ii) in connection with the transfer of property of a kind defined in paragraph (2); and

(b) an agreement means a written agreement made in connection with the transfer of property of a kind defined in paragraph (2).

(2) Subject to paragraphs (3) and (4), for the purposes of paragraph 3(2) of Schedule 4B to the Act, a transfer of property is a transfer by the non-resident parent of his beneficial interest in any asset to the person with care, to the qualifying child, or to trustees where the object or one of the objects of the trust is the provision of maintenance.

(3) Where a transfer of property would not have fallen within paragraph (2) when made but the Secretary of State is satisfied that some or all of the amount of that property was subsequently transferred to the person currently with care of the qualifying child, the transfer of that property to the person currently with care shall constitute a transfer of property for the purposes of paragraph 3 of Schedule 4B to the Act.

(4) The minimum value for the purposes of paragraph 3(2) of Schedule 4B to the Act is the threshold amount which is £5000.