
STATUTORY INSTRUMENTS

2012 No. 2677

The Child Support Maintenance Calculation Regulations 2012

PART 5

VARIATIONS

CHAPTER 3

GROUNDS FOR VARIATION: ADDITIONAL INCOME

Diversion of income

71.—(1) A case is a case for a variation for the purposes of paragraph 4(1) of Schedule 4B to the 1991 Act where—

- (a) the non-resident parent (“P”) has the ability to control, whether directly or indirectly, the amount of income that—
 - (i) P receives, or
 - (ii) is taken into account as P’s gross weekly income; and
- (b) the Secretary of State is satisfied that P has unreasonably reduced the amount of P’s income which would otherwise fall to be taken into account as gross weekly income or as unearned income under regulation 69 by diverting it to other persons or for purposes other than the provision of such income for P.

(2) Where a variation is agreed to under this regulation, the additional income to be taken into account is the whole of the amount by which the Secretary of State is satisfied that P has reduced the amount that would otherwise be taken into account as P’s income.