STATUTORY INSTRUMENTS

2016 No. 982

The Child Support (Deduction from Earnings Orders Amendment and Modification and Miscellaneous Amendments) Regulations 2016

Application of section 29(4) to (7) of the Child Support Act 1991 in certain cases

6.—(1)   Section 29(4) to (7) of the Child Support Act 1991(**1**) (collection of child support maintenance) does not apply to a case where—

   (a)   the person with care, non-resident parent and qualifying child were the person with care, non-resident parent or absent parent and qualifying child in relation to an existing case ("the previous case") where—

      (i)   notice has been given under regulation 5(2) of the Ending Liability Regulations specifying a liability end date determined in accordance with regulation 6(1)(b) of those Regulations;

      (ii)   on the date on which the notice was printed by the Secretary of State the case was a segment 5 case (which has the meaning given in the scheme prepared by the Secretary of State under regulation 3(1) of the Ending Liability Regulations (as revised from time to time));

      (iii)   the notice was sent on or after 23rd May 2016; and

   (b)   an application for a maintenance calculation is made before the liability end date in the previous case.

   (2)   In this regulation—

"absent parent" has the meaning given in section 3(2) (meaning of certain terms) of the 1991 Act;

"the Ending Liability Regulations" means the Child Support (Ending Liability in Existing Cases and Transition to New Calculation Rules) Regulations 2014;

"existing case" has the meaning given in paragraph 1(2) of Schedule 5 to the Child Maintenance and Other Payments Act 2008 (maintenance calculations: transfer of cases to the new rules);

"liability end date" has the meaning given in regulation 6 (liability end date) of the Ending Liability Regulations.

(**1**)   Subsections (4) to (7) were inserted by section 20 of the Child Maintenance and Other Payments Act 2008.