



Child Maintenance and Other Payments Act 2008

2008 CHAPTER 6

PART 5

GENERAL

59 Transition

- (1) ^{F1}
- (2) The Secretary of State may by regulations make provision for the Child Support Act 1991, as amended by Schedule 3, to have effect, until the coming into force of section 15, with such modifications as the Secretary of State considers necessary in consequence of the retention of functions under section 46 of that Act.
- (3) The Secretary of State may, in relation to section 6 or 46 of the Child Support Act 1991, by regulations make provision for the section to have effect with such modifications as the Secretary of State considers expedient in anticipation of the coming into force of section 15.
- (4) Sections ^{F2}... 32A, 32E, 32F, 32J, 32L, 32M, 41C to 41E, 43A, 49A, 49B and 49D of the Child Support Act 1991 shall have effect as if “child support maintenance” included periodical payments required to be paid in accordance with a maintenance assessment under the Act.
- (5) Sections ^{F3}... 32A, 32C, 32E, 32F, 32J, 32L, 32M, [^{F4}32N,] 39B, 39H, 40, 40A, 40B and 49B of the Child Support Act 1991 shall have effect as if “maintenance calculation” included a maintenance assessment under the Act.
- (6) Sections 35, 36, 38, 39B, 39H, 39K, 40, 40B and 49D of the Child Support Act 1991 shall have effect as if orders made under section 33 of that Act had been made under section 32M of that Act.

Changes to legislation: Child Maintenance and Other Payments Act 2008, Section 59 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (7) An order may be made under section 32M of the Child Support Act 1991 in respect of an amount even though the time within which an application could have been instituted under section 33 of that Act for an order in respect of that amount has expired.
- (8) The Secretary of State may by regulations make in connection with the coming into force of any provision of this Act such transitional provision or savings as the Secretary of State considers necessary or expedient.

Textual Amendments

- F1** Words in s. 59(1) omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 3(2), **Sch. para. 92**
- F2** Word in s. 59(4) omitted (20.9.2023) by virtue of [Child Support \(Enforcement\) Act 2023 \(c. 35\)](#), **ss. 5(a), 6(3)**
- F3** Word in s. 59(5) omitted (20.9.2023) by virtue of [Child Support \(Enforcement\) Act 2023 \(c. 35\)](#), **ss. 5(b)(i), 6(3)**
- F4** Word in s. 59(5) inserted (20.9.2023) by [Child Support \(Enforcement\) Act 2023 \(c. 35\)](#), **ss. 5(b)(ii), 6(3)**

Commencement Information

- I1** [S. 59](#) wholly in force; [s. 59\(8\)](#) in force at Royal Assent see [s. 62\(1\)](#); [s. 59](#) otherwise in force at 10.6.2008 by [S.I. 2008/1476](#). {art. 2(6)}

Changes to legislation:

Child Maintenance and Other Payments Act 2008, Section 59 is up to date with all changes known to be in force on or before 14 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 59(5) word inserted by [2009 c. 24 Sch. 5 para. 10](#)
- s. 59(5) words repealed by [2009 c. 24 Sch. 7 Pt. 4](#)
- s. 59(6) word inserted by [2009 c. 24 Sch. 5 para. 10](#)
- s. 59(6) words repealed by [2009 c. 24 Sch. 7 Pt. 4](#)