
DRAFT STATUTORY INSTRUMENTS

2003 No.

**The Child Support (Miscellaneous
Amendments) Regulations 2003**

Amendment of the Decisions and Appeals Regulations

3.—(1) The Decisions and Appeals Regulations shall be amended in accordance with the following paragraph.

(2) In regulation 7B (date from which a decision superseded under section 17 of the Child Support Act 1991 takes effect)⁽¹⁾ after paragraph (17) there shall be inserted—

“(17A) Where a superseding decision is made in a case to which regulation 6A(2)(a) or (3) applies, and the relevant circumstance is that a person has ceased to be a person with care in relation to a qualifying child in respect of whom the maintenance calculation was made, the decision shall take effect from the first day of the maintenance period in which that person ceased to be a person with care in relation to that qualifying child.

(17B) Where a superseding decision is made in a case to which regulation 6A(3) applies, and the relevant circumstance is that there is a further qualifying child in respect of the non-resident parent and the person with care to whom the maintenance calculation being superseded relates, the superseding decision shall take effect from—

(a) subject to sub-paragraph (b), the first day of the maintenance period in respect of the maintenance calculation in force, following—

(i) where an effective application is made under section 17(1) of the Child Support Act by the non-resident parent, the date on which that application is made; or

(ii) where the application made under section 17(1) of that Act is made by the person with care, or, where a maintenance calculation has been made in response to an application by a child under section 7 of that Act, by the child, the date of notification to the non-resident parent of that application;

(b) the first day of the maintenance period in respect of the maintenance calculation in force where the date set out in head (i) or (ii) falls on the first day of that maintenance period.

(17C) For the purposes of paragraph (17B)—

(a) in head (i) of sub-paragraph (a), an application is effective if, were it an application for a maintenance calculation, it would comply with regulation 3(1) of the Maintenance Calculation Procedure Regulations;

(b) in head (ii) of sub-paragraph (a), notification to the non-resident parent shall take the same form in respect of an application for a supersession as it would in regulation 5 of the Maintenance Calculation Procedure Regulations, in respect of an application for a maintenance calculation.”.

(1) Regulation 7B was inserted by S.I.2000/3185 and amended by S.I. 2002/1204.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK
Statutory Instrument: The Child Support (Miscellaneous Amendments) Regulations 2003 No. 328
