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DRAFT STATUTORY INSTRUMENTS

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**2012 No.**

**The Child Support Maintenance Calculation Regulations 2012**

**PART 5**

**VARIATIONS**

**CHAPTER 1**

**GENERAL**

**Regular payments condition**

**62.**—(1) For the purposes of section 28C(2)(b) of the 1991 Act<sup>(1)</sup> (payments of child support maintenance less than those specified in the interim maintenance decision) the payments are those fixed by the interim maintenance decision or the maintenance calculation in force, as the case may be, adjusted to take account of the variation applied for by the non-resident parent as if that variation had been agreed.

(2) The Secretary of State may refuse to consider the application for a variation where a regular payments condition has been imposed and the non-resident parent fails to make such payments, which are due and unpaid, within one month after being required to do so by the Secretary of State or such other period as the Secretary of State may in the particular case decide.

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<sup>(1)</sup> Section 28C was inserted by sections 5(1) and (2) of the 2000 Act.