
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Child Support Fees Regulations 2014

PART 3

Collection fee

Interpretation of this Part

6. For the purposes of this Part—

“child support maintenance” means child support maintenance calculated under Part 1 of Schedule 1 to the 1991 Act⁽¹⁾ as amended by Schedule 4 to the 2008 Act, which has accrued on or after the date on which this regulation comes into force;

“person in receipt of child support maintenance” means a person to whom child support maintenance is paid, being a person with care (which has the meaning given in section 3(3) of the 1991 Act) or a child who makes an application under section 7(1) (right of child in Scotland to apply for assessment) of the 1991 Act.

The collection fee

7.—(1) A collection fee is payable to the Secretary of State by—

- (a) the non-resident parent; and
- (b) the person in receipt of child support maintenance,

in relation to a case where there are arrangements for collection.

(2) The amount of the collection fee payable by a non-resident parent in respect of each day is—

- (a) subject to sub-paragraph (b), 20% of the daily amount;
- (b) where there is more than one person in receipt of child support maintenance in relation to that non-resident parent, in respect of each person in receipt of child support maintenance, 20% of the alternative daily amount.

(3) The amount of the collection fee payable by a person in receipt of child support maintenance is 4% of any payment of child support maintenance in relation to which there are arrangements for collection, which the Secretary of State has collected and which would otherwise be paid to that person.

(4) In this regulation—

“alternative daily amount” means the alternative weekly amount divided by 7;

“alternative weekly amount” means the weekly amount of child support maintenance that the non-resident parent is liable to pay in respect of the person in receipt of child support maintenance in question and in relation to which there are arrangements for collection;

“daily amount” means the weekly amount divided by 7;

⁽¹⁾ Part 1 of Schedule 1 to the 1991 Act was substituted by section 1(3) of, and Schedule 1 to, the 2000 Act and amended by Schedule 4 to the 2008 Act.

“weekly amount” means the weekly amount of child support maintenance that the non-resident parent is liable to pay and in relation to which there are arrangements for collection.

(5) Where a calculation carried out under this regulation results in a fraction of a penny, that is to be treated as a penny if it is either one half or exceeds one half, and otherwise it is to be disregarded.

(6) For the purposes of this regulation, there are arrangements for collection where the Secretary of State is making arrangements to collect child support maintenance under section 29(1) (collection of child support maintenance) of the 1991 Act⁽²⁾ and the payments of child support maintenance are transmitted through the Secretary of State.

Recovery of the collection fee

8.—(1) Any amount of the collection fee payable by a non-resident parent under regulation 7 (the collection fee) may be recovered by the Secretary of State from any payment made by that non-resident parent to the Secretary of State.

(2) Any amount of the collection fee payable by a person in receipt of child support maintenance under regulation 7 may be recovered by the Secretary of State from any payment of child support maintenance which would otherwise be paid to that person by the Secretary of State.

(2) Section 29(1) of the 1991 Act was amended by s.1(2)(a) of the 2000 Act and Schedule 8 to the 2008 Act.