
DRAFT STATUTORY INSTRUMENTS

2016 No.

**The Child Support (Deduction Orders and Fees)
(Amendment and Modification) Regulations 2016**

Modification of the Child Support (Collection and Enforcement) Regulations 1992

2.—(1) The Child Support (Collection and Enforcement) Regulations 1992(1) are modified as follows in relation to a case in which liability to pay child support maintenance is calculated in accordance with Part 1 of Schedule 1 (calculation of weekly amount of child support maintenance) to the Child Support Act 1991(2) as amended by paragraph 2 of Schedule 4 (changes to the calculation of maintenance) to the Child Maintenance and Other Payments Act 2008.

(2) Regulation 25I(2) (variation of a regular deduction order) has effect as if—

(a) in sub-paragraph (a)—

(i) in paragraph (i) after “arrears” there were inserted “or a payment towards an enforcement fee”;

(ii) in paragraph (ii) after “maintenance” there were inserted “and, where payable, fees”;

(b) in sub-paragraph (c) the word “or” is omitted;

(c) there were inserted at the end of sub-paragraph (d)—

“; or

(e) there are arrears that are not included in the order”.

(3) Regulation 25J(2)(a) (lapse of a regular deduction order) has effect as if after “maintenance calculation” there were inserted “and an alternative method of payment of fees (where payable)”.

(4) Regulation 25L(1)(b) (discharge of a regular deduction order) has effect as if after “(payment of child support maintenance)” there were inserted “and any fees have been paid in full”.

(5) Regulation 25S(2)(c) (lapse of a lump sum deduction order) has effect as if after “maintenance calculation” there were inserted “and an alternative method of payment of fees (where payable)”.

(6) Regulation 25U(1) (discharge of a lump sum deduction order) has effect as if—

(a) in sub-paragraph (b) after “(payment of child support maintenance)” there were inserted “and any fees specified in the order have been paid in full”;

(b) in sub-paragraph (c) after “and the liable person” there were inserted “and the total amount of any fees specified in the order have been paid”.

(1) [S.I. 1992/1989](#). Regulations 25A to 25AD were inserted by [S.I. 2009/1815](#). References to “the Commission” in these Regulations were replaced with references to “the Secretary of State” by [S.I. 2012/2007](#). [S.I. 1992/1989](#) was amended by [S.I. 2014/1386](#) which was amended by [S.I. 2014/1621](#). The effect of this (insofar as is relevant) is that regulation 2 of [S.I. 2014/1386](#) modifies [S.I. 1992/1989](#) in relation to cases administered under the 2012 scheme of child support.

(2) 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.