



Child Support Act 1991

1991 CHAPTER 48

Maintenance [^{F1}calculations]

Textual Amendments

- F1** Word in Act substituted (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), **ss. 1(2)(b)**, 86(1)(a)(2) (with **ss. 28, 83(6)**); [S.I. 2003/192](#), art. 3, Sch.

[^{F2}11 Maintenance calculations.

- (1) An application for a maintenance calculation made to the [^{F3}Secretary of State] shall be dealt with by [^{F3}the Secretary of State] in accordance with the provision made by or under this Act.
- (2) The [^{F3}Secretary of State] shall (unless [^{F3}the Secretary of State] decides not to make a maintenance calculation in response to the application, or makes a decision under section 12) determine the application by making a decision under this section about whether any child support maintenance is payable and, if so, how much.
- ^{F4}(3)
- ^{F4}(4)
- ^{F4}(5)
- (6) The amount of child support maintenance to be fixed by a maintenance calculation shall be determined in accordance with Part I of Schedule 1 unless an application for a variation has been made and agreed.
- (7) If the [^{F5}Secretary of State] has agreed to a variation, the amount of child support maintenance to be fixed shall be determined on the basis [^{F5}determined] under section 28F(4).
- (8) Part II of Schedule 1 makes further provision with respect to maintenance calculations.]

Status: Point in time view as at 01/08/2012.

Changes to legislation: Child Support Act 1991, Cross Heading: Maintenance calculations is up to date with all changes known to be in force on or before 22 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)

Textual Amendments

- F2** S. 11 substituted (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 1\(1\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2003/192, art. 3, Sch.
- F3** Words in s. 11(1)(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 7\(a\)](#)
- F4** S. 11(3)-(5) repealed (27.10.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 8; S.I. 2008/2548, art. 3\(d\)\(i\)](#)
- F5** Word in s. 11(7) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 7\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 11 (as originally enacted) amended (14.7.2008 for specified purposes, 1.6.2009 in so far as not already in force) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 7 para. 1\(34\)\(a\); S.I. 2008/1476, art. 2\(3\)\(b\)\(4\)\(5\); S.I. 2009/1314, art. 2\(2\)\(b\)\(i\)](#)

[^{F6}12 Default and interim maintenance decisions.

- (1) Where the [^{F7}Secretary of State]—
- is required to make a maintenance calculation; or
 - is proposing to make a decision under section 16 or 17,
- and it appears to [^{F8}the [^{F7}Secretary of State]] that [^{F9}the Secretary of State] does not have sufficient information to enable [^{F10}such a decision to be made], [^{F11}the Secretary of State] may make a default maintenance decision.
- (2) Where an application for a variation has been made under section 28A(1) in connection with an application for a maintenance calculation ^{F12}... , the [^{F13}Secretary of State] may make an interim maintenance decision.
- (3) The amount of child support maintenance fixed by an interim maintenance decision shall be determined in accordance with Part I of Schedule 1.
- (4) The Secretary of State may by regulations make provision as to default and interim maintenance decisions.
- (5) The regulations may, in particular, make provision as to—
- the procedure to be followed in making a default or an interim maintenance decision; and
 - a default rate of child support maintenance to apply where a default maintenance decision is made.]

Textual Amendments

- F6** S. 12 substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 4, 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F7** Words in s. 12(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 8\(2\)\(a\)](#)

Status: Point in time view as at 01/08/2012.

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- F8** Words in s. 12(1) substituted (1.11.2008) by Child Maintenance and Other Payments Act 2008 (c. 6), s. 62(3), **Sch. 3 para. 9(2)(b)**; S.I. 2008/2675, **art. 3(b)** (with art. 4)
- F9** Words in s. 12(1) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 8(2)(b)**
- F10** Words in s. 12(1) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 8(2)(c)**
- F11** Words in s. 12(1) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 8(2)(d)**
- F12** Words in s. 12(2) repealed (27.10.2008) by Child Maintenance and Other Payments Act 2008 (c. 6), s. 62(3), **Sch. 8**; S.I. 2008/2548, art. 3(d)(i)
- F13** Words in s. 12(2) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 8(3)**

Status:

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