



Child Support Act 1991

1991 CHAPTER 48

The basic principles

3 Meaning of certain terms used in this Act

- (1) A child is a “qualifying child” if—
 - (a) one of his parents is, in relation to him, an absent parent; or
 - (b) both of his parents are, in relation to him, absent parents.
- (2) The parent of any child is an “absent parent”, in relation to him, if—
 - (a) that parent is not living in the same household with the child; and
 - (b) the child has his home with a person who is, in relation to him, a person with care.
- (3) A person is a “person with care”, in relation to any child, if he is a person—
 - (a) with whom the child has his home;
 - (b) who usually provides day to day care for the child (whether exclusively or in conjunction with any other person); and
 - (c) who does not fall within a prescribed category of person.
- (4) The Secretary of State shall not, under subsection (3)(c), prescribe as a category—
 - (a) parents;
 - (b) guardians;
 - (c) persons in whose favour residence orders under section 8 of the Children Act 1989 are in force;
 - (d) in Scotland, persons having the right to custody of a child.
- (5) For the purposes of this Act there may be more than one person with care in relation to the same qualifying child.
- (6) Periodical payments which are required to be paid in accordance with a maintenance assessment are referred to in this Act as “child support maintenance”.
- (7) Expressions are defined in this section only for the purposes of this Act.