



Child Support Act 1991

1991 CHAPTER 48

The basic principles

4 Child support maintenance

- (1) A person who is, in relation to any qualifying child or any qualifying children, either the person with care or the absent parent may apply to the Secretary of State for a maintenance assessment to be made under this Act with respect to that child, or any of those children.
- (2) Where a maintenance assessment has been made in response to an application under this section the Secretary of State may, if the person with care or absent parent with respect to whom the assessment was made applies to him under this subsection, arrange for—
 - (a) the collection of the child support maintenance payable in accordance with the assessment;
 - (b) the enforcement of the obligation to pay child support maintenance in accordance with the assessment.
- (3) Where an application under subsection (2) for the enforcement of the obligation mentioned in subsection (2)(b) authorises the Secretary of State to take steps to enforce that obligation whenever he considers it necessary to do so, the Secretary of State may act accordingly.
- (4) A person who applies to the Secretary of State under this section shall, so far as that person reasonably can, comply with such regulations as may be made by the Secretary of State with a view to the Secretary of State or the child support officer being provided with the information which is required to enable—
 - (a) the absent parent to be traced (where that is necessary);
 - (b) the amount of child support maintenance payable by the absent parent to be assessed; and
 - (c) that amount to be recovered from the absent parent.
- (5) Any person who has applied to the Secretary of State under this section may at any time request him to cease acting under this section.

Status: This is the original version (as it was originally enacted).

- (6) It shall be the duty of the Secretary of State to comply with any request made under subsection (5) (but subject to any regulations made under subsection (8)).
- (7) The obligation to provide information which is imposed by subsection (4)—
 - (a) shall not apply in such circumstances as may be prescribed; and
 - (b) may, in such circumstances as may be prescribed, be waived by the Secretary of State.
- (8) The Secretary of State may by regulations make such incidental, supplemental or transitional provision as he thinks appropriate with respect to cases in which he is requested to cease to act under this section.
- (9) No application may be made under this section if there is in force with respect to the person with care and absent parent in question a maintenance assessment made in response to an application under section 6.