



Child Support, Pensions and Social Security Act 2000

2000 CHAPTER 19

PART I

CHILD SUPPORT

Financial penalties

18 Financial penalties.

- (1) In section 41 of the 1991 Act (arrears of child support maintenance), subsections (3) to (5) (which provide for the payment of interest on arrears) shall cease to have effect.
- (2) For section 41A of the 1991 Act (arrears: alternative to interest payments) there shall be substituted—

“41A Penalty payments.

- (1) The Secretary of State may by regulations make provision for the payment to him by non-resident parents who are in arrears with payments of child support maintenance of penalty payments determined in accordance with the regulations.
- (2) The amount of a penalty payment in respect of any week may not exceed 25% of the amount of child support maintenance payable for that week, but otherwise is to be determined by the Secretary of State.
- (3) The liability of a non-resident parent to make a penalty payment does not affect his liability to pay the arrears of child support maintenance concerned.
- (4) Regulations under subsection (1) may, in particular, make provision—
 - (a) as to the time at which a penalty payment is to be payable;
 - (b) for the Secretary of State to waive a penalty payment, or part of it.

Changes to legislation: Child Support, Pensions and Social Security Act 2000, Cross Heading: Financial penalties is up to date with all changes known to be in force on or before 01 August 2023. 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) [View outstanding changes](#)

- (5) The provisions of this Act with respect to—
- (a) the collection of child support maintenance;
 - (b) the enforcement of an obligation to pay child support maintenance,
- apply equally (with any necessary modifications) to penalty payments payable by virtue of regulations under this section.
- (6) The Secretary of State shall pay penalty payments received by him into the Consolidated Fund.”

Commencement Information

- II** [S. 18](#) partly in force; [s. 18](#) not in force at Royal Assent see [s. 86\(2\)](#); [s. 18](#) in force for certain purposes at 10.11.2000 by [S.I. 2000/2994](#), [art. 2\(1\)](#), [Sch. Pt. I](#); [s. 18](#) in force for certain further purposes at 3.3.2003 by [S.I. 2003/192](#), [art. 3](#), [Sch.](#)

19 Reduced benefit decisions.

F1

Textual Amendments

- F1** [S. 19](#) repealed (14.7.2008) by [Child Maintenance and Other Payments Act 2008](#) (c. 6), ss. 58, 62, [Sch. 8](#); [S.I. 2008/1476](#), [art. 2\(2\)\(c\)\(iii\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 70A inserted by [2012 c. 5 Sch. 3 para. 13](#)
- Sch. 7 para. 1(2)(c) inserted by [2007 c. 5 Sch. 5 para. 13](#)
- Sch. 7 para. 6(5A)(5B) inserted by [2012 c. 5 Sch. 11 para. 13\(3\)](#)
- Sch. 7 para. 6(8)(b) inserted by [2012 c. 5 Sch. 11 para. 13\(4\)\(b\)](#)
- Sch. 7 para. 6(8)(a) words in Sch. 7 para. 6(8) renumbered as Sch. 7 para. 6(8)(a) by [2012 c. 5 Sch. 11 para. 13\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Child Support, Pensions and Social Security Act 2000

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2003/346 art. 2](#) amendment to earlier commencing SI 2003/192 art. 6