



Child Maintenance and Other Payments Act 2008

2008 CHAPTER 6

PART 3

CHILD SUPPORT ETC.

Maintenance calculations

18 Determination of applications for a variation

(1) Section 28D of the Child Support Act 1991 is amended as follows.

(2) After subsection (2) insert—

“(2A) Subsection (2B) applies if—

- (a) the application for a variation is made by the person with care or (in the case of an application for a maintenance calculation under section 7) the person with care or the child concerned, and
- (b) it appears to the [^{F1}Secretary of State] that consideration of further information or evidence may affect [^{F2}the] decision under subsection (1)(a) whether or not to agree to a variation.

(2B) Before making the decision under subsection (1)(a) the [^{F3}Secretary of State] must—

- (a) consider any such further information or evidence that is available to [^{F4}the Secretary of State], and
- (b) where necessary, take such steps as the [^{F3}Secretary of State] considers appropriate to obtain any such further information or evidence.”

(3) In subsection (3), after “duties” insert “, apart from the duty under subsection (2B)”.

Changes to legislation: There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 18. (See end of Document for details)

Textual Amendments

- F1** Words in s. 18 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. 3(2), **Sch. para. 78(2)**
- F2** Word in s. 18 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. 3(2), **Sch. para. 78(2)**
- F3** Words in s. 18 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. 3(2), **Sch. para. 78(3)**
- F4** Words in s. 18 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. 3(2), **Sch. para. 78(3)**

Commencement Information

- I1** S. 18 partly in force; s. 18 not in force at Royal Assent see s. 62; s. 18 in force for certain purposes at 10.12.2012 by [S.I. 2012/3042](#), **art. 2(c)**
- I2** S. 18 in force at 29.7.2013 for specified purposes by [S.I. 2013/1860](#), **arts. 2(c), 3** (with **arts. 5, 7**) (as amended (24.6.2014) by [S.I. 2014/1635](#), art. 7)
- I3** S. 18 in force at 25.11.2013 in so far as not already in force by [S.I. 2013/2947](#), **art. 2(a)** (with **arts. 3-5**)

Changes to legislation:

There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 18.