



Child Maintenance and Other Payments Act 2008

2008 CHAPTER 6

PART 4

LUMP SUM PAYMENTS: MESOTHELIOMA ETC.

Mesothelioma lump sum payments

53 Regulations: Part 4

- (1) A reference in this Part to regulations is a reference to regulations made by the Secretary of State.
 - (2) The power to make regulations under this Part—
 - (a) is exercisable by statutory instrument;
 - (b) includes power to make such incidental, supplementary or transitional provision as the Secretary of State thinks fit;
 - (c) may be exercised so as to provide for a person to exercise a discretion in dealing with any matter.
- [^{F1}(2A) The power to make regulations under section 50(1A) may be exercised—
- (a) in relation to all cases to which it extends, in relation to those cases but subject to specified exceptions or in relation to any specified cases or classes of case;
 - (b) so as to make, as respects the cases in relation to which it is exercised—
 - (i) the full provision to which it extends or any lesser provision (whether by way of exception or otherwise);
 - (ii) the same provision for all cases, different provision for different cases or classes of case or different provision as respects the same case or class of case but for different purposes of this Act;
 - (iii) provision which is either unconditional or is subject to any specified condition.]

Changes to legislation: There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 53. (See end of Document for details)

- (3) No regulations may be made under section 46^[F2] or 50(1A)] unless a draft of the statutory instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.
- (4) No regulations may be made under any provision of section 47 if they are the first regulations to be made under that section, unless a draft of the statutory instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.
- (5) A statutory instrument that—
- (a) contains regulations under this Part, and
 - (b) is not subject to a requirement that a draft of the instrument be laid before, and approved by a resolution of, each House of Parliament,
- shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** S. 53(2A) inserted (25.2.2013 for specified purposes, 29.4.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 11 para. 18(2)**; S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24; S.I. 2013/983, art. 8
- F2** Words in s. 53(3) inserted (25.2.2013 for specified purposes, 29.4.2013 in so far as not already in force) by Welfare Reform Act 2012 (c. 5), s. 150(3), **Sch. 11 para. 18(3)**; S.I. 2013/358, art. 2(1), Sch. 1 paras. 18, 24; S.I. 2013/983, art. 8

Modifications etc. (not altering text)

- C1** S. 53 wholly in force; s. 53 not in force at Royal Assent see s. 62; s. 53 in force for certain purposes at 10.6.2008 and otherwise at 1.10.2008 by S.I. 2008/1476, **art. 3(1)(a){(2)(a)}**, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 53.