
STATUTORY INSTRUMENTS

1992 No. 1812

**The Child Support (Information, Evidence
and Disclosure) Regulations 1992**

PART III

DISCLOSURE OF INFORMATION

Disclosure of information to a court or tribunal

8.—^{F1}(1) The Secretary of State ^{F2} ... may disclose any information held by ^{F3}him] for the purposes of the Act to—

- (a) a court;
- (b) any tribunal or other body or person mentioned in the Act;

^{F4}(c)

^{F5}(cc) a person with a right of appeal under the Act to an appeal tribunal,]

where such disclosure is made for the purposes of any proceedings before any of those bodies relating to this Act^{F6}, to the benefit Acts or to the Jobseekers Act 1995].

^{F7}(2) For the purposes of this regulation “proceedings” includes the determination of an application referred to ^{F8}an] appeal tribunal under section 28D(1)(b) of the Act.]

^{F9}(3) The Secretary of State ^{F10} ... may disclose information held by ^{F11}him] for the purposes of the Act to a court in any case where—

- (a) that court has exercised any power it has to make, vary or revive a maintenance order or to vary a maintenance agreement; and
- (b) such disclosure is made for the purposes of any proceedings before that court in relation to that maintenance order or that maintenance agreement or for the purposes of any matters arising out of those proceedings.]

Textual Amendments

- F1** Reg. 8(1): Reg. 8 renumbered as reg. 8(1) (2.12.1996) by S.I. 1996/2907, reg. 1(1), 63
- F2** Words in reg. 8(1) omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 11(a)(i)
- F3** Words in reg. 8(1) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 11(a)(ii)
- F4** Reg. 8(1)(c) omitted (29.11.1999) by virtue of S.I. 1999/1510, art. 3(2), 11(a)(iii)
- F5** Reg. 8(1)(cc) inserted (16.9.2004 for specified purposes) by [The Child Support \(Miscellaneous Amendments\) Regulations 2004 \(S.I. 2004/2415\)](#), reg. 1(2)(a)(b)3
- F6** Words in reg. 8(1) substituted (19.1.1998) by S.I. 1998/58, reg. 1(2), 33(2)
- F7** Reg. 8(2) added (2.12.1996) by S.I. 1996/2907, reg. 1(1), 63
- F8** Word in reg. 8(2) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 11(b)
- F9** Reg. 8(3) added (19.1.1998) by S.I. 1998/58, reg. 1(2), 33(3)
- F10** Words in reg. 8(3) omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 11(c)(i)

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F11 Word in reg. 8(3) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 11(c)(ii)

Disclosure of information to an appropriate authority for use in the exercise of housing benefit or council tax benefit functions

F12 9

Textual Amendments

F12 Reg. 9 revoked (6.4.1999) by S.I. 1999/977, reg. 1(2), 4(3)

[F13] Disclosure of information to other persons

9A.—(1) The Secretary of State ^{F14} ... may disclose information [^{F15} held by him for the purposes of the Act relating to] one party to a maintenance [^{F16} calculation] to another party to that [^{F17} calculation] where, in the opinion of the Secretary of State ^{F18} ..., such information is essential to inform the party to whom it would be given as to—

- (a) [^{F19} why he has decided not to make a maintenance calculation in response to an application made under section 4 or 7 of the Act or treated as made under section 6 of the Act], or an application for a [^{F20} revision under section 16 of the Act or a decision under section 17 of the Act superseding an earlier decision] has been rejected;
- (b) why, although an application for a maintenance [^{F21} calculation] referred to in subparagraph (a) has been accepted, that [^{F22} calculation] cannot, at the time in question, be proceeded with or why a maintenance [^{F23} calculation] will not be made following that application;
- (c) why a maintenance [^{F24} calculation] has ceased to have effect ^{F25} ... , ^{F26} ...;
- (d) how a maintenance [^{F27} calculation] has been calculated, in so far as the matter has not been dealt with by the notification given under [^{F28} regulation 23 of the Maintenance Calculation Procedure Regulations].
- [why a decision has been made not to arrange for, or to cease, collection of any child
- ^{F29}(e) support maintenance under section 29 of the Act ;
- (f) why a particular method of enforcement, under section 31, 33, 35, 36, 38 or 40 of the Act of an amount due under a maintenance [^{F30} calculation] has been adopted in a particular case; or
- (g) why a decision has been made not to enforce, or to cease to enforce, under section 31 or 33 of the Act the amount due under a maintenance [^{F31} calculation].]

(2) For the purposes of this regulation, “party to a maintenance [^{F32} calculation]” means—

- (a) a relevant person;
- (b) a person appointed by the Secretary of State under regulation [^{F33} 34 of the Social Security and Child Support (Decisions and Appeals) Regulations 1999];
- ^{F34}(c) the personal representative of a relevant person where—
 - (i) a [^{F35} revision, supersession] or appeal was pending at the date of death of that person and the personal representative is dealing with that [^{F36} revision, supersession] or appeal on behalf of that person; or

(ii) an application for a [^{F37}variation] had been made but not determined at the date of death of that person and the personal representative is dealing [^{F38}on behalf of that person with any matters arising in connection with the determination of that application].]

(3) Any application for information under this regulation shall be made to the Secretary of State ^{F39} ... in writing setting out the reasons for the application.

(4) Except where a person gives written permission to the Secretary of State ^{F40} ... that the information in relation to him mentioned in sub-paragraphs (a) and (b) below may be conveyed to other persons, any information given under the provisions of paragraph (1) shall not contain—

- (a) the address of any person other than the recipient of the information in question (other than the address of the office of [^{F41} the officer concerned who is exercising functions of the Secretary of State under the Act)] or any other information the use of which could reasonably be expected to lead to any such person being located;
- (b) any other information the use of which could reasonably be expected to lead to any person, other than a qualifying child or a relevant person, being identified,]

Textual Amendments

- F13** Reg. 9A inserted (18.4.1995) by S.I. 1995/1045, reg. 1(2), 24
- F14** Words in reg. 9A(1) omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 12(a)
- F15** Words in reg. 9A(1) substituted (6.4.1999) by S.I. 1999/977, reg. 1(2), 4(4)
- F16** Words in reg. 9A(1) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F17** Words in reg. 9A(1) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F18** Words in reg. 9A(1) omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 12(a)
- F19** Words in reg. 9A(1)(a) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 7(3)(a) (with reg. 10)
- F20** Words in reg. 9(1)(a) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 12(b)
- F21** Words in reg. 9A(1)(b) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F22** Words in reg. 9A(1)(b) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F23** Words in reg. 9A(1)(b) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F24** Words in reg. 9A(1)(c) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F25** Words in reg. 9A(1)(c) omitted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by virtue of S.I. 2001/161, reg. 1(3)(d), 7(2) (with reg. 10)
- F26** Words in reg. 9A(1)(c) omitted (22.1.1996) by virtue of S.I. 1995/3261, reg. 1(2), 11(2)
- F27** Words in reg. 9A(1)(d) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F28** Words in reg. 9A(1)(d) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 3(3)(b) (with reg. 10)
- F29** Reg. 9A(1)(e)-(g) added (22.1.1996) by S.I. 1995/3261, reg. 1(2), 11(3)
- F30** Words in reg. 9A(1)(f) substituted (03.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F31** Words in reg. 9A(1)(g) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)

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- F32** Words in reg. 9A(2) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(2) (with reg. 10)
- F33** Words in reg. 9(2)(b) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 12(c)(i)
- F34** Reg. 9A(2)(c) substituted (2.12.1996) by S.I. 1996/2907, reg. 1(1), 64
- F35** Words in reg. 9(2)(c)(i) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 12(c)(ii)
- F36** Words in reg. 9(2)(c)(i) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 12(c)(ii)
- F37** Words in reg. 9A(2)(c)(ii) substituted (3.3.2003, See reg. 1 for relevant effective date in certain circumstances) by S.I. 2001/161, reg. 1(3)(d), 2(4) (with reg. 10)
- F38** Words in reg. 9A(2)(c)(ii) substituted (19.1.1998) by S.I. 1998/58, reg. 1(2), 34
- F39** Words in reg. 9A(3) omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 12(a)
- F40** Words in reg. 9A(4) omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 12(a)
- F41** Words in reg. 9(4)(a) substituted (1.6.1999) by S.I. 1999/1510, art. 3(1), 12(d)

Disclosure of information to the Secretary of State

^{F42} **10**

Textual Amendments

- F42** Reg. 10 omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 13

Disclosure of information by a child support officer

^{F43} **10A**

Textual Amendments

- F43** Reg. 10A omitted (1.6.1999) by virtue of S.I. 1999/1510, art. 3(1), 13

Employment to which section 50 of the Act applies

11. For the purposes of section 50 of the Act (unauthorised disclosure of information) the following kinds of employment are prescribed in addition to those specified in paragraphs (a) to (e) of section 50(5)—

- (a) the Comptroller and Auditor General;
- (b) the Parliamentary Commissioner for Administration;
- (c) the Health Service Commissioner for England;
- ^{F44}(d)
- (e) [^{F45}the Scottish Public Services Ombudsman];
- (f) any member of the staff of the National Audit Office;
- (g) any other person who carries out the administrative work of that Office, or who provides, or is employed in the provision of, services to it;
- (h) any officer of any of the Commissioners [^{F46}or of the Ombudsman] referred to in paragraphs (b) to (e) above; ^{F47}...
- (i) any person who provides, or is employed in the provision of, services to the Department of Social Security^{F48}; and

- (j) the Public Services Ombudsman for Wales, a member of his or her staff, or another person acting on his or her behalf or assisting him or her in the discharge of any of his or her functions.]

Textual Amendments

- F44** Reg. 11(d) omitted (1.4.2006) by virtue of [The Public Services Ombudsman \(Wales\) Act 2005 \(Transitional Provisions and Consequential Amendments\) Order 2006 \(S.I. 2006/362\)](#), arts. 1(1), 3, [Sch. 2 paras. 2\(a\)](#) (with art. 4)
- F45** Words in reg. 11(e) substituted (14.7.2004) by [Scottish Public Services Ombudsman Act 2002 \(Consequential Provisions and Modifications\) Order 2004 \(S.I. 2004/1823\)](#), arts. 1, [16\(a\)](#)
- F46** Words in reg. 11(h) inserted (14.7.2004) by [Scottish Public Services Ombudsman Act 2002 \(Consequential Provisions and Modifications\) Order 2004 \(S.I. 2004/1823\)](#), arts. 1, [16\(b\)](#)
- F47** Word in reg. 11(h) omitted (1.4.2006) by virtue of [The Public Services Ombudsman \(Wales\) Act 2005 \(Transitional Provisions and Consequential Amendments\) Order 2006 \(S.I. 2006/362\)](#), arts. 1(1), 3, [Sch. 2 paras. 2\(b\)](#) (with art. 4)
- F48** Reg. 11(j) and word inserted (1.4.2006) by [The Public Services Ombudsman \(Wales\) Act 2005 \(Transitional Provisions and Consequential Amendments\) Order 2006 \(S.I. 2006/362\)](#), arts. 1(1), 3, [Sch. 2 paras. 2\(c\)](#) (with art. 4)

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

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

- reg. 10(1) words substituted by [S.I. 1996/2907 reg. 65](#)
- reg. 10A(2) words added by [S.I. 1996/2907 reg. 66](#)
- reg. 10A(2) words omitted by [S.I. 1996/2907 reg. 66](#)