
STATUTORY INSTRUMENTS

1992 No. 1815

**The Child Support (Maintenance Assessments
and Special Cases) Regulations 1992**

PART III

SPECIAL CASES

Both parents are absent

19.—(1) Subject to regulation 27, where the circumstances of a case are that each parent of a qualifying child is an absent parent in relation to that child (neither being a person who is treated as an absent parent by regulation 20(2)) that case shall be treated as a special case for the purposes of the Act.

(2) For the purposes of this case—

- (a) where the application is made in relation to both absent parents, separate assessments shall be made under Schedule 1 to the Act in respect of each so as to determine the amount of child support maintenance payable by each absent parent;
- (b) subject to paragraph (3), where the application is made in relation to both absent parents, the value of C in each case shall be the assessable income of the other absent parent and where the application is made in relation to only one the value of C in the case of the other shall be nil;

^{F1}(c)

^{F2}(d) where the application is made in relation to one absent parent only, the amount of the maintenance requirement applicable in that case shall be one-half of the amount determined in accordance with paragraph 1(2) of Schedule 1 to the Act or, where regulation 23 applies (person caring for children of more than one absent parent), of the amount determined in accordance with paragraphs (2) to (3) of that regulation.]

(3) Where, for the purposes of paragraph (2)(b), information regarding the income of the other absent parent has not been submitted to the Secretary of State ^{F3}... within the period specified in regulation 6(1) of the Maintenance Assessment Procedure Regulations then until such information is acquired the value of C shall be nil.

(4) When the information referred to in paragraph (3) is acquired the [^{F4}Secretary of State] shall make a fresh assessment which shall have effect from the effective date in relation to that other absent [^{F5}parent, or, from the effective date as determined by paragraph (2) of regulation 30 of the Maintenance Assessment Procedure Regulations, whichever is the later.]

F1 Reg. 19(2)(c) omitted (6.4.1998) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 1997 1998 \(S.I. 1998/58\)](#), regs. 1(3), **52** (with reg. 59)

F2 Reg. 19(2)(d) added (7.10.1996) by [The Child Support \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1945\)](#), regs. 1(2), **23** (with reg. 25(5))

Changes to legislation: *There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, Section 19. (See end of Document for details)*

- F3** Words in reg. 19(3) omitted (1.6.1999) by virtue of The Social Security Act 1998 (Commencement No. 7 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/1510), arts. 3(1), **17(a)**
- F4** Words in reg. 19(4) substituted (1.6.1999) by The Social Security Act 1998 (Commencement No. 7 and Consequential and Transitional Provisions) Order 1999 (S.I. 1999/1510), arts. 3(1), **17(b)**
- F5** Words in reg. 19(4) substituted (6.4.1999) by The Child Support (Miscellaneous Amendments) Regulations 1999 (S.I. 1999/977), regs. 1(1), **6(4)** (with reg. 7)

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, Section 19.