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STATUTORY INSTRUMENTS

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**1992 No. 1989**

**The Child Support (Collection and Enforcement) Regulations 1992**

**PART IV**

**LIABILITY ORDERS**

**[<sup>F1</sup>Disqualification for holding or obtaining a United Kingdom passport**

**35A.**—(1) For the purposes of enabling an inquiry to be made under section 39B(4) of the Act as to the liable person's ability to earn a living, means and conduct, a justice of the peace may issue a summons to the liable person to appear before a magistrates' court and to produce a United Kingdom passport held by the liable person and, if the person does not appear, may issue a warrant for their arrest.

(2) In any proceedings under section 39B of the Act, a statement in writing to the effect that wages of any amount have been paid to the liable person during any period, signed by or on behalf of the liable person's employer, is evidence of the facts stated.

(3) Where an application under section 39B of the Act has been made but no disqualification order is made, the application may be renewed on the ground that the circumstances of the liable person have changed.

(4) [<sup>F2</sup>A disqualification order must be in the form prescribed in Schedule 5.]

(5) The amount to be included in the disqualification order under section 39B(8)(b) of the Act in respect of the costs of the application for the disqualification order must be such amount as in the view of the court is equal to the costs reasonably incurred by the Secretary of State in respect of the costs of the application for the disqualification order.

(6) An order made under section 39B(9) of the Act may be executed anywhere in England and Wales by any person to whom it is directed or by any constable acting within the constable's police area, if the liable person fails to appear or produce or surrender their United Kingdom passport to the court.

(7) An order made under section 39B(9) of the Act may be executed by a constable even if it is not in the constable's possession at the time but the order shall, if demanded, be shown to the liable person as soon as reasonably practicable.

(8) The court shall send to the Secretary of State for the Home Department a United Kingdom passport produced to the court under section 39B(9) of the Act]

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**Textual Amendments**

**F1** Reg. 35A inserted (13.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(2), 5(3)

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**Changes to legislation:** *There are currently no known outstanding effects for the The Child Support (Collection and Enforcement) Regulations 1992, Section 35A. (See end of Document for details)*

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**F2** Reg. 35A(4) omitted (E.W.) (19.7.2021) by virtue of The Child Support (Collection and Enforcement and Maintenance Calculation) (Amendment No. 2) Regulations 2021 (S.I. 2021/763), regs. 1(2), **3(5)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Support (Collection and Enforcement) Regulations 1992, Section 35A.