

**Changes to legislation:** The Child Support Act 1991 (Commencement No.3 and Transitional Provisions) Order 1992, Paragraph 5 is up to date with all changes known to be in force on or before 05 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE

### Modifications etc. (not altering text)

- C1** Part 1 of the Schedule was revoked (4.9.95) by s. 18(8) of the Child Support Act 1995 (c. 34), but is continued to be reproduced as it remains in force in some circumstances

## [<sup>F1</sup>PART I

### PHASED TAKE-ON OF CASES

### Textual Amendments

- F1** Part 1 of Sch. substituted (31.3.93) by S.I. 1993/966, art. 2(1)

**5.—**(1) For so long as either—

- (a) paragraph 2 or 3 above operates in a case so as to prevent an application being made under section 4 of the Act or, as the case may be, section 7 of the Act, and no application has been made under section 6 of the Act; or
- (b) an application has been made under section 6 of the Act but no maintenance assessment has yet been made pursuant to that application,

then in relation to that case—

- (i) section 8(3) of the Act (role of the courts with respect to maintenance orders) shall be modified so as to have effect as if the word “vary” were omitted;
- (ii) in a case falling within sub-paragraph (a) above, section 9(3) of the Act shall not apply; and
- (iii) section 9(5) of the Act shall be modified so as to have effect as if paragraph (b) were omitted.

(2) In a case where there is, at any time during the transitional period, pending before a court an application for a maintenance order or an application for an order varying a written maintenance agreement, section 8(3) or, as the case may be, section 9(5)(b) of the Act, shall not apply in relation to that case.]

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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):

- Sch. Pt.II para. 12 amended by [S.I. 1999/1610 art.30\(c\)](#)
- Sch. Pt II para 7(1)(a)(2) amended by [S.I. 1993/966 art.2\(2\)\(3\)](#)