
STATUTORY INSTRUMENTS

1993 No. 785

**The Child Support Act 1991
(Consequential Amendments) Order 1993**

Amendments relating to the Army

2.—(1) The following section shall be inserted in the Army Act 1955(1) after section 150—

“Enforcement of maintenance assessment by deductions from pay.

150A.—(1) Subsection (2) applies where any officer, warrant officer, non-commissioned officer or soldier of the regular forces (“the liable person”) is required to make periodical payments in respect of any child in accordance with a maintenance assessment made under the Child Support Act 1991.

(2) The Defence Council or an officer authorised by them may order such sum to be deducted from the pay of the liable person and appropriated in or towards satisfaction of any obligation of his—

- (a) to make periodical payments in accordance with the maintenance assessment; or
- (b) to pay interest (by virtue of regulations made under section 41(3) of the Act of 1991) with respect to arrears of child support maintenance payable in accordance with the assessment,

as they, or the authorised officer, thinks fit.

(3) Where a child support officer—

- (a) makes or cancels a maintenance assessment or a fresh maintenance assessment; and
- (b) has reason to believe that the person against whom the assessment is, or was, made is an officer, warrant officer, non-commissioned officer or soldier of the regular forces,

the Secretary of State shall inform the Defence Council or an officer authorised by them of the terms of the assessment or (as the case may be) that it has been cancelled.

(4) This section applies whether or not the liable person was a member of the regular forces when the maintenance assessment was made.”

(2) The following subsection shall be inserted in section 151 of the Act of 1955 (deductions from pay for maintenance of wife or child)—

“(3A) Where an order is in force under section 150A of this Act for deductions to be made from the pay of any member of the regular forces with respect to the maintenance of a child of his, no order may be made under this section for the deductions of any sums from the pay of that person with respect to the maintenance of that child.”

(3) In section 152 of the Act of 1955 (limit on deductions under sections 150 and 151 and effect of forfeiture), after “150”, in each case, there shall be inserted “,150A”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
