
STATUTORY INSTRUMENTS

1993 No. 913

**The Child Support (Miscellaneous
Amendments) Regulations 1993**

Amendment of regulation 1 of the Maintenance Assessments and Special Cases Regulations

19.—(1) Regulation 1 of the Maintenance Assessments and Special Cases Regulations shall be amended in accordance with the following provisions of this regulation.

(2) In regulation 1(2)—

(a) in the definition of “course of advanced education” for the word “Technician” there shall be substituted the word “Technology”;

(b) after the definition of “council tax benefit” there shall be inserted the following definition—
““couple” means a married or unmarried couple;”;

(c) After the definition of “Income Support Regulations” there shall be inserted the following definitions—

(i) ““Independent Living (1993) Fund” means the charitable trust of that name established by a deed made between the Secretary of State for Social Security of the one part and Robin Glover Wendt and John Fletcher Shepherd of the other part;”;

(ii) ““Independent Living (Extension) Fund” means the charitable trust of that name established by a deed made between the Secretary of State for Social Security of the one part and Robin Glover Wendt and John Fletcher Shepherd of the other part;”;

(d) for the definition of “relevant week” there shall be substituted the following definition—
““relevant week” means—

(a) in relation to an application for child support maintenance—

(i) in the case of the person making the application, the period of 7 days immediately preceding the date on which the appropriate maintenance assessment application form (being an effective application within the meaning of regulation 2(4) of the Maintenance Assessment Procedure Regulations) is submitted to the Secretary of State;

(ii) in the case of a person to whom a maintenance assessment enquiry form is given or sent as the result of such an application, the period of 7 days immediately preceding the date on which that form is given to him or, as the case may be, the date on which it is treated as having been sent to him under regulation 1(6)(b) of the Maintenance Assessment Procedure Regulations;

(b) in relation to a review of a maintenance assessment under section 16 or 17 of the Act, the period of 7 days immediately preceding the date on which a request is made for information or evidence under regulation 17(5) or, as the case may be, regulation 19(2) of the Maintenance Assessment Procedure Regulations;”;

and

(e) the definition of “the Independent Living Fund” shall be omitted.

(3) After paragraph (2) of that regulation there shall be inserted the following paragraph—

“(2A) Where any provision of these Regulations requires the income of a person to be estimated and that or any other provision of these Regulations requires that the amount of such estimated income is to be taken into account for any purpose after deducting from it a sum in respect of income tax or of primary Class 1 contributions under the Contributions and Benefits Act or of contributions paid by that person towards an occupational or personal pension scheme, then—

- (a) the amount to be deducted in respect of income tax shall be calculated by applying to that income the rates of income tax applicable at the effective date less only the personal relief to which that person is entitled under Chapter 1 of Part VII of the Income and Corporation Taxes Act 1988⁽¹⁾ (personal relief); but if the period in respect of which that income is to be estimated is less than a year, the amount of the personal relief deductible under this sub-paragraph shall be calculated on a pro rata basis;
- (b) the amount to be deducted in respect of Class 1 contributions under the Contributions and Benefits Act shall be calculated by applying to that income the appropriate primary percentage applicable in the relevant week; and
- (c) the amount to be deducted in respect of contributions paid by that person towards an occupational or personal pension scheme shall be one-half of the sums so paid.”.

(1) 1988 c. 50; the definition of “lower rate” was added by the Finance Act 1992 (c. 20), s.9(9).