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STATUTORY INSTRUMENTS

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**2003 No. 346**

**The Child Support, Pensions and Social Security  
Act 2000 (Commencement No.13) Order 2003**

**Amendment of earlier Order**

**2.** For article 6 of the Child Support, Pensions and Social Security Act 2000 (Commencement No. 12) Order 2003 (appointed day for section 23, and associated repeal)<sup>(1)</sup> there shall be substituted the following article:—

**“Appointed day for section 23 and associated repeal**

**6.—(1)** The day appointed for the coming into force of the provisions specified in paragraph (2) for the purposes of cases specified in paragraph (3) is—

- (a) as respects any case specified in paragraph (3)(a) where, before 3rd March 2003, relevant maintenance is paid or payable—
    - (i) where 3rd March 2003 is the day on which the maintenance calculation in relation to that case takes effect, 3rd March 2003,
    - (ii) where the maintenance calculation in relation to that case takes effect on a day later than 3rd March 2003, that later day;
  - (b) as respects any other case specified in paragraph (3)(a), 3rd March 2003;
  - (c) as respects any case which is specified in paragraph (3)(b)—
    - (i) where 3rd March 2003 is the case conversion date in relation to that case, 3rd March 2003,
    - (ii) where a day later than 3rd March 2003 is the case conversion date in relation to that case, that later day;
  - (d) as respects any case specified in paragraph (3)(c) which is referred to—
    - (i) in paragraph (a) of article 4, the day on which the claim for the benefit mentioned in that paragraph is made,
    - (ii) in paragraph (b) of that article, the day on which the Secretary of State is notified that the authorisation mentioned in sub-paragraph (iii) of that paragraph is withdrawn,
    - (iii) in paragraph (c) of that article, 3rd March 2003;
  - (e) as respects any case which is specified in sub-paragraph (d) of paragraph (3), the day on which the maintenance referred to in that sub-paragraph is first paid.
- (2) The provisions mentioned in paragraph (1) are—
- (a) section 23 (section 10 of the Child Support Act 1995<sup>(2)</sup> to cease to have effect); and

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(1) S.I. 2003/192 (C. 11).

(2) 1995 c. 34.

- (b) Part I of Schedule 9 in so far as it relates to the repeal of section 10 of the Child Support Act 1995.
- (3) The cases mentioned in paragraph (1) are—
  - (a) cases referred to in sub-paragraph (a) of article 3(1);
  - (b) cases referred to in sub-paragraph (b) or (c) of article 3(1);
  - (c) cases referred to in paragraph (a), (b) or (c) of article 4;
  - (d) cases to which sub-paragraphs (a) to (c) do not apply where, on or after 3rd March 2003, relevant maintenance is first paid.
- (4) For the purposes of sub-paragraph (d) of paragraph (3), a case shall not be regarded as one to which that sub-paragraph does not apply by reason only of the fact that relevant maintenance was paid or payable before 3rd March 2003—
  - (a) in respect of the care of a different child;
  - (b) under an earlier agreement; or
  - (c) by virtue of an earlier order of the court.
- (5) In this article—
  - “case conversion date” means the date which is, by virtue of regulation 15 of the Child Support (Transitional Provisions) Regulations 2000(3), the case conversion date in relation to that case; and
  - “relevant maintenance” means maintenance, other than child support maintenance, which is paid or payable—
    - (a) to a person who has the care of a child in the United Kingdom;
    - (b) in respect of the care of the child; and
    - (c) under an agreement (whether enforceable or not) between that person and the person by whom the maintenance is payable, or by virtue of an order of the court.”.