

## SCHEDULE 6

### DEDUCTIONS FROM BENEFIT AND DIRECT PAYMENT TO THIRD PARTIES

#### **Payments in place of payments of child support maintenance**

**10.**—(1) This paragraph applies where the Secretary of State has determined that section 43 (contribution to maintenance by deduction from benefit) of the 1991 Act<sup>(1)</sup> and regulation 28 (contribution to maintenance by deduction from benefit) of the Child Support (Maintenance Assessments and Special Cases) Regulations 1992<sup>(2)</sup> apply in relation to the claimant.

(2) Where this paragraph applies, the Secretary of State must, if satisfied that there is sufficient universal credit in payment (but subject to paragraphs 1, 4 and 5 of this Schedule), determine that an amount is to be deducted from the claimant's award for transmission to the person or persons entitled to receive that amount under or by virtue of the 1991 Act.

(3) Not more than one deduction may be made under this paragraph in relation to any assessment period.

(4) The amount of universal credit which may be deducted in relation to any assessment period and paid to a third party under this paragraph is to be an amount equal to 5% of the standard allowance.

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(1) 1991 c.48. Section 43 was amended by paragraph 113 of Schedule 2 to the Social Security (Consequential Provisions) Act 1992 (c.6), paragraph 40 of Schedule 7 to the Social Security Act 1998 (c.14), section 21 of the Child Support, Pensions and Social Security Act 2000 (c.19) and section 139 of the 2012 Act.

(2) S.I. 1992/1815. Relevant amending instruments are S.I. 1996/1345, 1998/58, 2001/155 and 2008/1554.