



# Child Support Act 1991

## CHAPTER 48

### CHILD SUPPORT ACT 1991

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- 3 Meaning of certain terms used in this Act.
- 4 Child support maintenance.
- 5 Child support maintenance: supplemental provisions.
- 6 Applications by those claiming or receiving benefit.
- 7 Right of child in Scotland to apply for calculation.
- 8 Role of the courts with respect to maintenance for children.
- 9 Agreements about maintenance.
- 10 Relationship between maintenance calculations and certain court orders and related matters.

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- 13 Child support officers.

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- 15 Powers of inspectors.

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- 37 Regulations about liability orders: Scotland.
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- 40 Commitment to prison.
- 40A Commitment to prison: Scotland.
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- 44 Jurisdiction.
- 45 Jurisdiction of courts in certain proceedings under this Act.

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- 50A Use of computers
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- 53 Financial provisions.
- 54 Interpretation.
- 55 Meaning of “child”.
- 56 Corresponding provision for and co-ordination with Northern Ireland.
- 57 Application to Crown.
- 58 Short title, commencement and extent, etc.

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## SCHEDULES

### SCHEDULE 1 — Maintenance Calculations

#### PART I — CALCULATION OF WEEKLY AMOUNT OF CHILD SUPPORT MAINTENANCE

##### *General rule*

- 1 (1) The weekly rate of child support maintenance is the...

##### *Basic rate*

- 2 (1) The basic rate is the following percentage of the...

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*Reduced rate*

3 (1) A reduced rate is payable if—

*Flat rate*

4 (1) Except in a case falling within sub-paragraph (2), a...

*Nil rate*

5 The rate payable is nil if the non-resident parent—

*Apportionment*

6 (1) If the non-resident parent has more than one qualifying...

*Shared care—basic and reduced rate*

7 (1) This paragraph applies only if the rate of child...

*Shared care—flat rate*

8 (1) This paragraph applies only if— (a) the rate of...

*Regulations about shared care*

9 The Secretary of State may by regulations provide—

*Net weekly income*

10 (1) For the purposes of this Schedule, net weekly income...

*Regulations about rates, figures, etc.*

10A (1) The Secretary of State may by regulations provide that—...

*Regulations about income*

10B The Secretary of State may by regulations provide that, in...

*References to various terms*

10C (1) References in this Part of this Schedule to “qualifying...  
Part II — GENERAL PROVISIONS ABOUT MAINTENANCE CALCULATIONS

*Effective date of calculation*

11 (1) A maintenance calculation shall take effect on such date...

*Form of calculation*

12 Every maintenance calculation shall be made in such form and...

*Assessments where amount of child support is nil*

13 The Secretary of State shall not decline to make a...

*Consolidated applications and calculations*

14 (1) The Secretary of State may by regulations provide—

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*Separate calculations for different periods*

15 Where the Commission is satisfied that the circumstances of a...

*Termination of calculations*

16 (1) A maintenance calculation shall cease to have effect—

SCHEDULE 2 — Provision of Information to Secretary of State

*Inland Revenue records*

1 (1) This paragraph applies where the Secretary of State or...  
1A (1) This paragraph applies to any information which—

*Local authority records*

2 (1) This paragraph applies where— (a) the Secretary of State...  
3 In this Schedule “Revenue and Customs official” has the same...

SCHEDULE 3 — Child Support Appeal Tribunals

*The President*

1 (1) The person appointed . . . as President of...

*Membership of child support appeal tribunals*

2 (1) A child support appeal tribunal shall consist of a...

*The chairmen*

3 (1) The chairman of a child support appeal tribunal shall...  
4 (1) The Lord Chancellor may appoint regional and other full-time...

*Other members of child support appeal tribunals*

5 (1) The members of a child support appeal tribunal other...

*Clerks of tribunals*

6 (1) Each child support appeal tribunal shall be serviced by...

*Expenses of tribunal members and others*

7 (1) The Secretary of State may pay—

*Consultation with Lord Advocate*

8 Before exercising any of his powers under paragraph 3(3) or...

SCHEDULE 4 — Child Support Commissioners for Northern Ireland

*Tenure of office*

1 (1) Every Child Support Commissioner for Northern Ireland shall vacate...

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*Commissioners' remuneration and their pensions*

- 2 (1) The Lord Chancellor may pay, or make such payments...

*Expenses of other persons*

- 2A (1) The Lord Chancellor or, in Scotland, the Secretary of...

*Commissioners barred from legal practice*

- 3 A Child Support Commissioner for Northern Ireland, so long as...

*Deputy Child Support Commissioners*

- 4 (1) The First Minister and deputy First Minister, acting jointly,...

*Determination of questions by other officers*

- 4A (1) The Lord Chancellor may by regulations provide—

*Tribunals of Commissioners*

- 5 (1) If it appears to the Chief Child Support Commissioner...

*Finality of decisions*

- 6 (1) Subject to section 25, the decision of any Child...

*Consultation with Lord Advocate*

- 7 Before exercising any of his powers under paragraph 1(3) ,...

*Northern Ireland*

- 8 In its application to Northern Ireland this Schedule shall have...

SCHEDULE 4A — Applications for a variation

*Interpretation*

- 1 In this Schedule, “regulations” means regulations made by the Secretary...

*Applications for a variation*

- 2 Regulations may make provision— (a) as to the procedure to...

*Completion of preliminary consideration*

- 3 Regulations may provide for determining when the preliminary consideration of...

*Information*

- 4 If any information which is required (by regulations under this...

*Joint consideration of applications for a variation and appeals*

- 5 (1) Regulations may provide for two or more applications for...

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SCHEDULE 4B — Applications for a variation: The Cases and Controls  
Part I — THE CASES

*General*

- 1 (1) The cases in which a variation may be agreed...

*Special expenses*

- 2 (1) A variation applied for by a non-resident parent may...

*Property or capital transfers*

- 3 (1) A variation may be agreed in the circumstances set...

*Additional cases*

- 4 (1) The Secretary of State may by regulations prescribe other...

Part II — REGULATORY CONTROLS

- 5 (1) The Secretary of State may by regulations make provision...  
6 The Secretary of State may by regulations provide for the...

SCHEDULE 4C — Decisions and Appeals: Departure Directions and Reduced  
Benefit Directions etc.

*Revision of decisions*

- 1 Section 16 shall apply in relation to—

*Decisions superseding earlier decisions*

- 2 (1) Section 17 shall apply in relation to—

*Appeals to appeal tribunals*

- 3 (1) Subject to sub-paragraphs (2) and (3), section 20 shall...

*Decisions and appeals dependent on other cases*

- 4 (1) Section 28ZA shall also apply where—  
5 (1) Section 28ZB shall also apply where—

*Cases of error*

- 6 (1) Subject to sub-paragraph (2) below, section 28ZC shall also...

SCHEDULE 5 — Consequential Amendments

*The Tribunals and Inquiries Act 1971 (c.62)*

- 1 .....

*The Northern Ireland Constitution Act 1973 (c. 36)*

- 2 In paragraph 9 of Schedule 2 to the Northern Ireland...

*The House of Commons Disqualification Act 1975 (c.24)*

- 3 (1) The House of Commons Disqualification Act 1975 shall be...

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*The Northern Ireland Assembly Disqualification Act 1975 (c.25)*

- 4 (1) In Part I of Schedule 1 to the Northern...

*The Family Law (Scotland) Act 1985 (c.37)*

- 5 In section 4 (amount of aliment) of the Family Law...

*Bankruptcy (Scotland) Act 1985 (c.66)*

- 6 (1) The Bankruptcy (Scotland) Act 1985 shall be amended as...

*The Insolvency Act 1986 (c.45)*

- 7 In section 281(5)(b) of the Insolvency Act 1986 (effect of...

*The Debtors (Scotland) Act 1987 (c.18)*

- 8 (1) The Debtors (Scotland) Act 1987 shall be amended as...



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