



# Child Support Act 1991

## 1991 CHAPTER 48

### *Collection and enforcement*

#### **[<sup>F1</sup>32F Lump sum deductions: final orders** **E+W+S**

- (1) The Commission may make an order under this section in pursuance of a proposal specified in an order under section 32E if—
  - (a) the order in which the proposal was specified (“the interim order”) is in force;
  - (b) the period prescribed for the making of representations to the Commission in respect of the proposal specified in the interim order has expired; and
  - (c) the Commission has considered any representations made to it during that period.
- (2) An order under this section—
  - (a) shall be expressed to be directed at the deposit-taker or third party at which the interim order was directed;
  - (b) if the interim order was made by virtue of section 32E(1)(a), shall specify the account specified in the interim order; and
  - (c) shall specify the amount of arrears of child support maintenance in respect of which it is made.
- (3) The amount so specified—
  - (a) shall not exceed the amount of arrears specified in the interim order which remain unpaid at the time at which the order under this section is made; and
  - (b) if the order is made in respect of a joint account, shall not exceed the amount that appears to the Commission to be fair in all the circumstances.
- (4) In determining the amount to be specified in an order made in respect of a joint account the Commission shall have particular regard—
  - (a) to the amount contributed to the account by each of the account-holders; and
  - (b) to such other matters as may be prescribed.
- (5) An order under this section may specify an amount of arrears due under a maintenance calculation which is the subject of an appeal only if it appears to the Commission—

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*Status: Point in time view as at 03/08/2009. This version of this provision has been superseded.*

*Changes to legislation: Child Support Act 1991, Section 32F is up to date with all changes known to be in force on or before 17 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (a) that liability for the amount would not be affected were the appeal to succeed; or
  - (b) where paragraph (a) does not apply, that the making of an order under this section in respect of the amount would nonetheless be fair in all the circumstances.
- (6) The Commission shall serve a copy of any order made under this section on—
- (a) the deposit-taker or third party at which it is directed;
  - (b) the liable person; and
  - (c) if the order is made in respect of a joint account, the other account-holders.]

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**Textual Amendments**

**F1** Ss. 32E-32K inserted (1.6.2009 for specified purposes, 3.8.2009 in so far as not already in force) by [Child Maintenance and Other Payments Act 2008 \(c. 6\)](#), **ss. 23**, 62(3); S.I. 2009/1314, **art. 2(1)(b)**

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**Modifications etc. (not altering text)**

**C1** S. 32F modified (10.6.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 48\)](#), **s. 59(4)(5)**; S.I. 2008/1476, **art. 2(6)**

**Status:**

Point in time view as at 03/08/2009. This version of this provision has been superseded.

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