
STATUTORY INSTRUMENTS

1992 No. 1813

**The Child Support (Maintenance
Assessment Procedure) Regulations 1992**

PART VI

REVIEWS ON A CHANGE OF CIRCUMSTANCES

Conduct of a review on a change of circumstances

19.—(1) Where a child support officer proposes to conduct a review under section 17 of the Act, he shall give 14 days' notice of the proposed review to the relevant persons.

(2) Subject to paragraphs (3) and (4), and except where the circumstances set out in regulation 17(7) apply, a child support officer proposing to conduct a review under section 17 of the Act shall request every person to whom he is giving notice under paragraph (1) to provide within 14 days, and in accordance with the provisions of regulations 2 and 3 of the Information, Evidence and Disclosure Regulations, such information or evidence as to his current circumstances as may be specified.

(3) The provisions of paragraph (2) shall not apply in relation to any person to whom or in respect of whom income support is payable.

(4) Where an application for a review under section 17 of the Act is made at the time that a review under section 16 of the Act is being conducted, the child support officer concerned may proceed with the review under section 17 of the Act notwithstanding that he has not complied with the provisions of paragraph (2) if in his opinion such compliance is not required in the particular circumstances of the case.

(5) Where a maintenance assessment is in force with respect to a parent with care and an absent parent in response to an application by the parent with care under section 6 of the Act, and the parent with care authorises the Secretary of State to take action under the Act to recover child support maintenance from that absent parent in relation to an additional child of whom she is a parent with care and he is an absent parent, that authorisation shall be treated by the Secretary of State as an application for a review under section 17 of the Act.

Fresh assessments following a review on a change of circumstances

20.—(1) Subject to paragraphs (2) and (3) and regulations 21 and 22, a child support officer who has completed a review under section 17 of the Act shall not make a fresh assessment if the difference between the amount of child support maintenance fixed by the assessment currently in force and the amount that would be fixed if a fresh assessment were to be made as a result of the review is less than £10.00 per week.

(2) Where a child support officer who has completed a review under section 17 of the Act determines that, were a fresh assessment to be made as a result of the review, the circumstances of the absent parent are such that the provisions of paragraph 6 of Schedule 1 to the Act would apply to that assessment, he shall not make a fresh assessment if the difference between the amount of child

support maintenance fixed by the original assessment and the amount that would be fixed if a fresh assessment were to be made as a result of the review is less than £1.00 per week.

(3) Where a child support officer who has completed a review under section 17 of the Act determines that, were a fresh assessment to be made as a result of the review, the children in respect of whom that assessment would be made are not identical with the children in respect of whom the original assessment was made, he shall not make a fresh assessment if the difference between the amount of child support maintenance fixed by the original assessment and the amount that would be fixed if a fresh assessment were to be made as a result of the review is less than £1.00 per week.

Fresh assessments following a review on a change of circumstances: special case prescribed by regulation 22 of the Maintenance Assessments and Special Cases Regulations

21.—(1) The provisions of paragraphs (2) and (3) shall apply on a review under section 17 of the Act where a case is to be treated as a special case for the purposes of the Act by virtue of regulation 22 of the Maintenance Assessments and Special Cases Regulations.

(2) Where there is a change in the circumstances of the absent parent (whether or not there is also a change in the circumstances of one or more of the persons with care), a child support officer shall not make fresh assessments if the difference between the aggregate amount of child support maintenance fixed by the assessments currently in force and the aggregate amount that would be fixed if fresh assessments were to be made as a result of the review is less than £10.00 per week or, where the circumstances of the absent parent are such that the provisions of paragraph 6 of Schedule 1 to the Act would apply to those fresh assessments, that difference is less than £1.00 per week.

(3) Where there is a change in the circumstances of one or more of the persons with care but not in that of the absent parent, the provisions of regulation 20 shall apply in relation to each fresh assessment.

Fresh assessments following a review on a change of circumstances: special case prescribed by regulation 23 of the Maintenance Assessments and Special Cases Regulations

22.—(1) The provisions of paragraph (2) shall apply on a review under section 17 of the Act where a case is to be treated as a special case for the purposes of the Act by virtue of regulation 23 of the Maintenance Assessments and Special Cases Regulations.

(2) Where there is a change in the circumstances of the person with care or in the circumstances of one or more of the absent parents, the provisions of regulation 20 shall apply to each fresh assessment.

Reviews conducted under section 19 of the Act as if a review under section 17 of the Act had been applied for

23. The provisions of regulations 20, 21 and 22 shall apply to a review under section 19 of the Act which has been conducted as if an application for a review under section 17 of the Act had been made.