
STATUTORY INSTRUMENTS

1992 No. 1813

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

PART VII

REVIEWS OF A DECISION BY A CHILD SUPPORT OFFICER

Time limits for an application for a review of a decision by a child support officer

24.—(1) Subject to paragraph (2), the Secretary of State shall not refer any application for a review under section 18(1), (3) or (4) of the Act or under section 18 of the Act as extended by regulation 9(6) to a child support officer unless that application is received by the Secretary of State within 28 days of the date of notification to the applicant of the decision whose review he seeks.

(2) Where the Secretary of State receives an application for a review under section 18(1), (3) or (4) of the Act or under section 18 of the Act as extended by regulation 9(6) more than 28 days after the date of notification to the applicant of the decision whose review he seeks, the Secretary of State may refer that application to a child support officer if he is satisfied that there was unavoidable delay in making the application.

Notice of a review of a decision by a child support officer

25.—(1) Where on an application for a review under section 18 of the Act a child support officer proposes to conduct such a review, he shall give 14 days' notice of the proposed review to the relevant persons.

- (2) A child support officer proposing to conduct a review under section 18 of the Act shall—
- (a) send to the relevant persons the applicant's reasons for making the application for the review;
 - (b) where a maintenance assessment is in force, send to the relevant persons the information that was included, under the provisions of regulation 10(2), in the notification of that assessment made under the provisions of regulation 10(1);
 - (c) invite representations, either in person or in writing, from the relevant persons on any matter relating to the review and set out the provisions of paragraphs (3) to (6) in relation to such representations.

(3) Subject to paragraph (4), where the child support officer conducting the review does not within 14 days of the date on which notice of the review was given receive a request from a relevant person to make representations in person, or receives such a request and arranges for an appointment for such representations to be made but that appointment is not kept, he may complete the review in the absence of such representations from that person.

(4) Where the child support officer conducting the review is satisfied that there was good reason for failure to keep an appointment, he shall provide for a further opportunity for the making of representations by the relevant person concerned before he completes the review.

(5) Where the child support officer conducting the review does not receive written representations from a relevant person within 14 days of the date on which notice of the review was given, he may complete the review in the absence of written representations from that person.

(6) Except where a person gives written permission to the Secretary of State that the information, in relation to him, mentioned in sub-paragraphs (a) and (b) below may be conveyed to other persons, any document given or sent under the provisions of paragraph (1) or (2) shall not contain—

- (a) the address of any person other than the recipient of the document in question (other than the address of the office of the child support officer concerned) or any other information the use of which could reasonably be expected to lead to any such person being located;
- (b) any other information the use of which could reasonably be expected to lead to any person other than a qualifying child or relevant person being identified.

Procedure on a review of a decision by a child support officer

26.—(1) Where the Secretary of State has referred more than one application for a review to a child support officer under section 18 of the Act in relation to the same decision and that child support officer proposes to conduct a review but has not given notice under regulation 25(1), he shall give notice to the relevant persons under regulation 25(1) and shall conduct one review taking account of all the representations made and all the evidence before him.

(2) Where the child support officer conducting a review under section 18 of the Act has given notice under regulation 25(1) and has a further application referred to him by the Secretary of State in relation to the same decision before he has completed his review, he shall notify the person who has made that further application that he is already conducting a review of that decision and that he will take into account the information contained in that application.

Review following an application under section 18(1)(b) of the Act

27. Where a child support officer has completed a review following an application for a review under section 18(1)(b) of the Act, regulations 20 to 22 shall apply in relation to any fresh assessment following that review.

Reviews conducted under section 19 of the Act as if a review under section 18(1)(b) of the Act had been applied for

28. The provisions of regulation 27 shall apply to a review under section 19 of the Act which has been conducted as if an application for a review under section 18(1)(b) of the Act had been made.

Extension of provisions of section 18(2) of the Act

29.—(1) The provisions of section 18(2) of the Act shall apply where a maintenance assessment has been in force but is no longer in force if the condition specified in paragraph (2) is satisfied.

(2) The condition mentioned in paragraph (1) is that, subject to paragraph (3), the application for a review under section 18(2) of the Act as extended by this regulation is received by the Secretary of State within 28 days of the date of notification to the applicant of the maintenance assessment whose review he seeks.

(3) Where the Secretary of State receives such an application more than 28 days after the date of notification to the applicant of the maintenance assessment whose review he seeks, the Secretary of State may refer that application to a child support officer if he is satisfied that there was unavoidable delay.