

SCHEDULE 1

CALCULATION OF N AND M

PART II

BENEFIT PAYMENTS

6.—(1) The benefit payments to be taken into account in calculating or estimating N and M shall be determined in accordance with this Part.

(2) “Benefit payments” means any benefit payments under the Contributions and Benefits Act<sup>F1</sup>, the Jobseekers Act<sup>F2</sup>, the Welfare Reform Act or Part 1 of the Pensions Act 2014] except amounts to be disregarded by virtue of Schedule 2.

(3) The amount of any benefit payment to be taken into account shall be determined by reference to the rate of that benefit applicable at the effective date.

Textual Amendments

- F1 Words in Sch. 1 para. 6(2) substituted (27.10.2008) by [The Employment and Support Allowance \(Consequential Provisions\) \(No. 2\) Regulations 2008 \(S.I. 2008/1554\)](#), regs. 1(2)(b), **58(5)**
- F2 Words in Sch. 1 para. 6(2) substituted (coming into force in accordance with art. 1(2)(b) of the amending S.I.) by [The Pensions Act 2014 \(Consequential, Supplementary and Incidental Amendments\) Order 2015 \(S.I. 2015/1985\)](#), arts. 1(2)(b), **14(3)**

7.—(1) Where a benefit payment under the Contributions and Benefits Act includes an adult or child dependency increase—

- (a) if that benefit is payable to a parent, the income of that parent shall be calculated or estimated as if it did not include that amount;
- (b) if that benefit is payable to some other person but includes an amount in respect of the parent, the income of the parent shall be calculated or estimated as if it included that amount.

[<sup>F3</sup>(1A) For the purposes of sub-paragraph (1), an addition to a contribution-based jobseeker’s allowance under [<sup>F4</sup>regulation 10(4)] of the Jobseeker’s Allowance (Transitional Provisions) Regulations [<sup>F5</sup>1996] shall be treated as a dependency increase included with a benefit under the Contributions and Benefits Act.]

- <sup>F6</sup>(2) .....
- <sup>F6</sup>(3) .....
- <sup>F6</sup>(4) .....
- <sup>F6</sup>(5) .....

[<sup>F7</sup>(6) Where child benefit in respect of a relevant child is in payment at the rate specified in regulation 2(1)(a)(ii) of the Child Benefit Rates Regulations, the difference between that rate and the basic rate applicable to that child, as defined in regulation 4.]

**Status:** Point in time view as at 02/04/2018.

**Changes to legislation:** There are currently no known outstanding effects for the *The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, PART II*. (See end of Document for details)

### Textual Amendments

- F3** Words in Sch. 1 para. 7(1A) inserted (7.10.1996) by [The Social Security and Child Support \(Jobseeker's Allowance\) \(Consequential Amendments\) Regulations 1996 \(S.I. 1996/1345\)](#), regs. 1, **6(4)(a)**
- F4** Words in Sch. 1 Pt. II para. 7(1A) substituted (6.4.1999) by [The Child Support \(Miscellaneous Amendments\) Regulations 1999 \(S.I. 1999/977\)](#), regs. 1(1), **6(5)(e)(i)** (with reg. 7)
- F5** Word in Sch. 1 Pt. II para. 7(1A) substituted (6.4.1999) by [The Child Support \(Miscellaneous Amendments\) Regulations 1999 \(S.I. 1999/977\)](#), regs. 1(1), **6(5)(e)(ii)** (with reg. 7)
- F6** Sch. 1 para. 7(2)-(5) omitted (6.4.2003) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2003 \(S.I. 2003/328\)](#), regs. 1(3)(d), **6(6)(b)**
- F7** Sch. 1 para. 7(6) added (7.4.1997) by [The Child Benefit, Child Support and Social Security \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1803\)](#), regs. 1(b), **17(2)**

**Status:**

Point in time view as at 02/04/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, PART II.