
STATUTORY INSTRUMENTS

2012 No. 2785

**The Child Support (Meaning of Child and
New Calculation Rules) (Consequential and
Miscellaneous Amendment) Regulations 2012**

PART 2

Meaning of “Child”

Amendment of the Child Support (Maintenance Assessment Procedure) Regulations 1992

2.—(1) Schedule 1 (meaning of “child” for the purposes of the Act) to the Child Support (Maintenance Assessment Procedure) Regulations 1992 ^{M1} is amended as follows.

(2) For paragraph 1, substitute—

“**1.—**(1) A person satisfies such conditions as may be prescribed for the purposes of section 55(1)(of the Act ^{M2} if that person satisfies any of the conditions in sub-paragraphs (2) and (3).

(2) The person is receiving full-time education (which is not advanced education)—

(a) by attendance at a recognised educational establishment; or

(b) elsewhere, if the education is recognised by the Secretary of State.

(3) The person is a person in respect of whom child benefit is payable.”.

(3) Omit paragraph 1A.

(4) In paragraph 2—

(a) for “section 55 of the Act” substitute “ this Schedule ”; and

(b) in sub-paragraph (a), after “education” insert “ , a higher national certificate ”.

(5) In paragraph 3, for “section 55 of the Act” substitute “ this Schedule ”.

(6) In paragraph 4, for “section 55(1)(b) of the Act” substitute “ paragraph 1(2) ”.

(7) For paragraph 6, substitute—

“**6.** In this Schedule, “recognised educational establishment” means an establishment recognised by the Secretary of State for the purposes of this Schedule as being, or as comparable to, a university, college or school.”

(8) After paragraph 6 insert—

“Education otherwise than at a recognised educational establishment

7. For the purposes of paragraph 1(2), the Secretary of State may recognise education provided for a person otherwise than at a recognised educational establishment only if satisfied that education was being so provided for that person immediately before that person attained the age of 16.”.

Marginal Citations

M1 S.I. 1992/1813.

M2 Section 55 was substituted by section 42 of the 2008 Act.

Amendment of the Child Support (Maintenance Calculation Procedure) Regulations 2000

3.—(1) Schedule 1 (meaning of “child” for the purposes of the Act) to the Child Support (Maintenance Calculation Procedure) Regulations 2000^{M3} is amended as follows.

(2) For paragraph 1, substitute—

“1.—(1) A person satisfies such conditions as may be prescribed for the purposes of section 55(1)(of the Act^{M4} if that person satisfies any of the conditions in sub-paragraphs (2) and (3).

(2) The person is receiving full-time education (which is not advanced education)—

(a) by attendance at a recognised educational establishment; or

(b) elsewhere, if the education is recognised by the Secretary of State.

(3) The person is a person in respect of whom child benefit is payable.”.

(3) Omit paragraph 1A.

(4) In paragraph 2—

(a) for “section 55 of the Act” substitute “ this Schedule ”; and

(b) in sub-paragraph (a), after “education” insert “ , a higher national certificate ”.

(5) In paragraph 3, for “section 55 of the Act” substitute “ this Schedule ”.

(6) In paragraph 4, for “section 55(1)(b) of the Act” substitute “ paragraph 1(2) ”.

(7) For paragraph 6, substitute—

“6. In this Schedule, “recognised educational establishment” means an establishment recognised by the Secretary of State for the purposes of this Schedule as being, or as comparable to, a university, college or school.”

(8) After paragraph 6 insert—

“Education otherwise than at a recognised educational establishment

7. For the purposes of paragraph 1(2), the Secretary of State may recognise education provided for a person otherwise than at a recognised educational establishment only if satisfied that education was being so provided for that person immediately before that person attained the age of 16.”.

Marginal Citations

M3 [S.I. 2001/157](#).

M4 [Section 55](#) was substituted by section 42 of the 2008 Act.

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Meaning of Child and New Calculation Rules) (Consequential and Miscellaneous Amendment) Regulations 2012, PART 2.