



2000 CHAPTER 4

PART I
CHILD SUPPORT

Financial penalties

Financial penalties

17.—(1) In Article 38 of the Child Support Order (arrears of child support maintenance), paragraphs (3) to (5) shall cease to have effect.

(2) For Article 38A of the Child Support Order (arrears: alternative to interest payments) there shall be substituted—

“Penalty payments

38A.—(1) The Department may by regulations make provision for the payment to it by non-resident parents who are in arrears with payments of child support maintenance of penalty payments determined in accordance with the regulations.

(2) The amount of a penalty payment in respect of any week may not exceed 25 per cent. of the amount of child support maintenance payable for that week, but otherwise is to be determined by the Department.

(3) The liability of a non-resident parent to make a penalty payment does not affect his liability to pay the arrears of child support maintenance concerned.

(4) Regulations under paragraph (1) may, in particular, make provision—

- (a) as to the time at which a penalty payment shall be payable;
- (b) for the Department to waive a penalty payment, or part of it.

- (5) The provisions of this Order with respect to—
 - (a) the collection of child support maintenance;
 - (b) the enforcement of an obligation to pay child support maintenance,apply equally (with any necessary modifications) to penalty payments payable by virtue of regulations under this Article.
- (6) The Department shall pay penalty payments received by it into the Consolidated Fund.”.