

---

DRAFT STATUTORY INSTRUMENTS

---

**2000 No.**

**The Child Support (Maintenance Calculations  
and Special Cases) Regulations 2000**

**PART II**

**CALCULATION OF CHILD SUPPORT MAINTENANCE**

**Nil rate**

5. The rate payable is nil where the non-resident parent is—
- (a) a student;
  - (b) a child within the meaning given in section 55(1) of the Act;
  - (c) a prisoner;
  - (d) a person who is 16 or 17 years old and—
    - (i) in receipt of income support or income-based jobseeker's allowance; or
    - (ii) a member of a couple whose partner is in receipt of income support or income-based jobseeker's allowance;
  - (e) a person receiving an allowance in respect of work-based training for young people, or in Scotland, Skillseekers training;
  - (f) a person in a residential care home or nursing home who—
    - (i) is in receipt of a pension, benefit or allowance specified in regulation 4(1) or (2); or
    - (ii) has the whole or part of the cost of his accommodation met by a local authority;
  - (g) a patient in hospital who is in receipt of income support whose applicable amount includes an amount under paragraph 1(a) or (b) of Schedule 7 to the Income Support Regulations (patient for more than 6 weeks);
  - (h) a person in receipt of a benefit specified in regulation 4(1) the amount of which has been reduced in accordance with the provisions of regulations 4(d) and 6 of the Social Security Hospital In-Patients Regulations 1975 (circumstances in which personal benefit is to be adjusted and adjustment of personal benefit after 52 weeks in hospital)(1); or
  - (i) a person who would be liable to pay the flat rate because he satisfies the description in paragraph 4(1)(c) of Schedule 1 to the Act but his net weekly income, inclusive of—
    - (aa) any benefit, pension or allowance that he receives which is prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Act; and
    - (bb) any benefit that he or his partner receives which is prescribed for the purposes of paragraph 4(1)(c) of Schedule 1 to the Act,

---

(1) S.I.1975/555. Regulation 4(d) has been amended by regulation 2(3)(b) of S.I. 1987/1683 and regulation 6 has been amended by section 18(1) of the Social Security Act 1986 (c. 50), regulation 3 of S.I. 1977/1963, regulation 2 of S.I. 1987/31 and regulation 2 of S.I. 1987/1683.

is less than £5 a week.