
DRAFT STATUTORY INSTRUMENTS

2012 No.

The Child Support Maintenance Calculation Regulations 2012

PART 6

MEANING OF TERMS IN THE 1991 ACT

Persons who are not persons with care

78.—(1) The following categories of person are not persons with care for the purposes of the 1991 Act—

- (a) a local authority;
- (b) a person with whom a child who is looked after by a local authority is placed by that authority under the provisions of the Children Act 1989, except where that person is a parent of such a child and the local authority allow the child to live with that parent under section 22C(2) or 23(5) of that Act⁽¹⁾;
- (c) in Scotland, a family or relative with whom a child is placed by a local authority under the provisions of section 26 of the Children (Scotland) Act 1995⁽²⁾.

(2) In paragraph (1)—

“a child who is looked after by a local authority” has the same meaning as in section 22 of the Children Act 1989 or section 17(6) of the Children (Scotland) Act 1995 as the case may be;
“family” means a family other than a family defined in section 93(1) of the Children (Scotland) Act 1995.

(1) 1989 c. 41. Section 22C(2) was inserted prospectively by the Children Act 2008 (c. 23), section 8; when it is in force it will replace section 23(5).
(2) 1995 c. 36.