

SCHEDULE

Regulation 5(4)

SCHEDULE TO BE INSERTED AS SCHEDULE 5 TO THE CHILD SUPPORT (COLLECTION AND ENFORCEMENT) REGULATIONS 1992

“SCHEDULE 5

Regulation 35A(4)

FORM OF ORDER OF DISQUALIFICATION FOR HOLDING OR OBTAINING A UNITED KINGDOM PASSPORT

Sections 39B to 39G of the Child Support Act 1991 and regulation 36 of the Child Support (Collection and Enforcement) Regulations 1992

Magistrates’ Court

Date:

Liabe Person:

Address:

A liability order (“the order”) was made against the liable person by the [] Magistrates’ Court on [] under section 33 of the Child Support Act 1991 (“the Act”) in respect of an amount of [].

The court is satisfied–

(i) that the Secretary of State sought under section 35 of the Act to take control of goods to recover the amount then outstanding in respect of which the order was made;

[and/or]

that the Secretary of State sought under section 36 of the Act to recover through [] County Court by means of [a third party debt order] [a charging order], the amount then outstanding in respect of which the order was made;

(ii) that such amount, or any proportion of it, remains unpaid; and
(iii) having inquired in the liable person’s presence as to the liable person’s means and whether there has been [wilful refusal] [culpable neglect] on their part.

The decision of the court is that the liable person be disqualified for [holding or obtaining] a United Kingdom passport from [date] for [period] unless the aggregate amount in respect of which this order is made is sooner paid. *

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: *The Child Support (Miscellaneous Amendments) Regulations 2018 No. 1279*

This order is made in respect of–

Amount outstanding (including any interest, fees, penalty payments, costs and charges):

Aggregate amount:

And you [the liable person] must surrender to the court any United Kingdom passport held.

Justice of the Peace

[or by order of the Court

Clerk of the Court].

**Note:* The period of disqualification may be reduced as provided by section 39E(1)(a) of the Act if part payment is made of the aggregate amount. The order will be revoked under section 39E(2) of the Act if full payment is made of the aggregate amount.