



Child Support Act 1991

1991 CHAPTER 48

[^{F1}Variations

Textual Amendments

- F1** Ss. 28A-28C substituted for ss. 28A-28C (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), [ss. 5\(2\)](#), [86\(1\)\(a\)\(2\)](#) (with [ss. 28](#), [83\(6\)](#)); [S.I. 2000/2994](#), [art. 2](#), [Sch. Pt. 1](#); [S.I. 2003/192](#), [art. 3](#), [Sch.](#)

28A Application for variation of usual rules for calculating maintenance.

- (1) Where an application for a maintenance calculation is made under section 4 or 7 ^{F2}... the person with care or the non-resident parent or (in the case of an application under section 7) either of them or the child concerned may apply to the [^{F3}Secretary of State] for the rules by which the calculation is made to be varied in accordance with this Act.
- (2) Such an application is referred to in this Act as an “application for a variation”.
- (3) An application for a variation may be made at any time before the [^{F4}Secretary of State] has reached a decision (under section 11 or 12(1)) on the application for a maintenance calculation ^{F5}... .
- (4) A person who applies for a variation—
 - (a) need not make the application in writing unless the [^{F6}Secretary of State] directs in any case that he must; and
 - (b) must say upon what grounds the application is made.
- (5) In other respects an application for a variation is to be made in such manner as may be prescribed.
- (6) Schedule 4A has effect in relation to applications for a variation.]

Status: Point in time view as at 01/08/2012.

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Textual Amendments

- F2** Words in s. 28A(1) repealed (27.10.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 8; S.I. 2008/2548, art. 3\(d\)\(i\)](#)
- F3** Words in s. 28A(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 23](#)
- F4** Words in s. 28A(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 23](#)
- F5** Words in s. 28A(3) repealed (27.10.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 8; S.I. 2008/2548, art. 3\(d\)\(i\)](#)
- F6** Words in s. 28A(4)(a) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 23](#)

Modifications etc. (not altering text)

- C1** S. 28A modified (31.1.2001) by [The Child Support \(Variations\) \(Modification of Statutory Provisions\) Regulations 2000 \(S.I. 2000/3173\), regs. 1\(1\), 2, 3](#)

[^{F1}28B Preliminary consideration of applications.

- (1) Where an application for a variation has been duly made to the [^{F7}Secretary of State], [^{F7}the Secretary of State] may give it a preliminary consideration.
- (2) [^{F8}The Secretary of State may on completing such a] preliminary consideration, reject the application (and proceed to make [^{F9}a] decision on the application for a maintenance calculation without any variation) if it appears to [^{F10}the [^{F11}Secretary of State]]—
 - (a) that there are no grounds on which [^{F12}a variation could be agreed to];
 - (b) that [^{F13}the Secretary of State] has insufficient information to make a decision on the application for the maintenance calculation under section 11 (apart from any information needed in relation to the application for a variation), and therefore that [^{F13}the Secretary of State's] decision would be made under section 12(1); or
 - (c) that other prescribed circumstances apply.]

Textual Amendments

- F7** Words in s. 28B(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 24\(2\)](#)
- F8** Words in s. 28B(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 24\(3\)\(a\)](#)
- F9** Word in s. 28B(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 24\(3\)\(b\)](#)
- F10** Words in s. 28B(2) substituted (1.11.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 3 para. 26\(3\)\(d\); S.I. 2008/2675, art. 3\(b\)](#)

Status: Point in time view as at 01/08/2012.

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- F11** Words in s. 28B(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 24(3)(c)**
- F12** Words in s. 28B(2)(a) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 24(3)(d)**
- F13** Words in s. 28B(2)(b) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 24(3)(e)**

Modifications etc. (not altering text)

- C2** S. 28B modified (31.1.2001) by [The Child Support \(Variations\) \(Modification of Statutory Provisions\) Regulations 2000 \(S.I. 2000/3173\)](#), regs. 1(1), 2, 4

[^{F1}28C Imposition of regular payments condition.

- (1) Where—
- (a) an application for a variation is made by the non-resident parent; and
 - (b) the [^{F14}Secretary of State] makes an interim maintenance decision,
- the [^{F14}Secretary of State] may also, if [^{F14}the Secretary of State] has completed [^{F14}a] preliminary consideration (under section 28B) of the application for a variation and has not rejected it under that section, impose on the non-resident parent one of the conditions mentioned in subsection (2) (a “regular payments condition”).
- (2) The conditions are that—
- (a) the non-resident parent must make the payments of child support maintenance specified in the interim maintenance decision;
 - (b) the non-resident parent must make such lesser payments of child support maintenance as may be determined in accordance with regulations made by the Secretary of State.
- (3) Where the [^{F15}Secretary of State] imposes a regular payments condition, [^{F15}the Secretary of State] shall give written notice of the imposition of the condition and of the effect of failure to comply with it to—
- (a) the non-resident parent;
 - (b) all the persons with care concerned; and
 - (c) if the application for the maintenance calculation was made under section 7, the child who made the application.
- (4) A regular payments condition shall cease to have effect—
- (a) when the [^{F16}Secretary of State] has made a decision on the application for a maintenance calculation under section 11 (whether [^{F16}the Secretary of State] agrees to a variation or not);
 - (b) on the withdrawal of the application for a variation.
- (5) Where a non-resident parent has failed to comply with a regular payments condition, the [^{F17}Secretary of State] may in prescribed circumstances refuse to consider the application for a variation, and instead reach [^{F17}a] decision under section 11 as if no such application had been made.
- (6) The question whether a non-resident parent has failed to comply with a regular payments condition is to be determined by the [^{F18}Secretary of State].

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- (7) Where the [^{F19}Secretary of State] determines that a non-resident parent has failed to comply with a regular payments condition [^{F19}the Secretary of State] shall give written notice of [^{F19}the] determination to—
- (a) that parent;
 - (b) all the persons with care concerned; and
 - (c) if the application for the maintenance calculation was made under section 7, the child who made the application.]

Textual Amendments

- F14** Words in s. 28C(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 25(a)**
- F15** Words in s. 28C(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 25(b)**
- F16** Words in s. 28C(4) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 25(c)**
- F17** Words in s. 28C(5) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 25(d)**
- F18** Words in s. 28C(6) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 25(e)**
- F19** Words in s. 28C(7) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 25(f)**

Modifications etc. (not altering text)

- C3** S. 28C modified (31.1.2001) by [The Child Support \(Variations\) \(Modification of Statutory Provisions\) Regulations 2000 \(S.I. 2000/3173\)](#), regs. 1(1), 2, 5

[^{F20}28D Determination of applications.

- [^{F21}(1) Where an application for a variation has not failed, the [^{F22}Secretary of State] shall, in accordance with the relevant provisions of, or made under, this Act—
- (a) either agree or not to a variation, and make a decision under section 11 or 12(1); or
 - (b) refer the application to [^{F23}the First-tier Tribunal] for the tribunal to determine what variation, if any, is to be made.]
- (2) For the purposes of subsection (1), [^{F24}an application for a variation] has failed if—
- (a) it has [^{F25}... been withdrawn; or
 - (b) the [^{F26}Secretary of State] has rejected it on completing a preliminary consideration under section 28B; [^{F27}or]
- [^{F27}(c) the [^{F26}Secretary of State] has refused to consider it under section 28C(5).]

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- (3) In dealing with [^{F24}an application for a variation] which has been referred to it under subsection (1)(b), [^{F28}the First-tier Tribunal] shall have the same powers, and be subject to the same duties, as would the [^{F29}Secretary of State in] dealing with the application.]

Textual Amendments

- F20** S. 28D inserted (2.12.1996) by [Child Support Act 1995 \(c. 34\), ss. 4, 30\(4\)](#); S.I. 1996/2630, art. 2, Sch. Pt. 2
- F21** S. 28D(1) substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(3\)\(a\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F22** Words in s. 28D(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 26(a)**
- F23** Words in s. 28D(1)(b) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 91(a)**
- F24** Words in s. 28D(2)(3) substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(3\)\(b\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F25** Words in s. 28D(2)(a) repealed (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(3\)\(c\), 86\(1\)\(a\)\(2\)](#), **Sch. 9 Pt. 1** (with s. 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F26** Words in s. 28D(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 26(b)**
- F27** S. 28D(2)(c) and preceding word inserted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(3\)\(c\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F28** Words in s. 28D(3) substituted (3.11.2008) by [The Transfer of Tribunal Functions Order 2008 \(S.I. 2008/2833\)](#), art. 1(1), **Sch. 3 para. 91(a)**
- F29** Words in s. 28D(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 26(c)**

Modifications etc. (not altering text)

- C4** S. 28D modified (31.1.2001) by [The Child Support \(Variations\) \(Modification of Statutory Provisions\) Regulations 2000 \(S.I. 2000/3173\)](#), regs. 1(1), 2, **6(1)**

[^{F30}28E Matters to be taken into account.

- (1) In determining [^{F31}whether to agree to a variation], the [^{F32}Secretary of State] shall have regard both to the general principles set out in subsection (2) and to such other considerations as may be prescribed.
- (2) The general principles are that—
- parents should be responsible for maintaining their children whenever they can afford to do so;
 - where a parent has more than one child, his obligation to maintain any one of them should be no less of an obligation than his obligation to maintain any other of them.

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- (3) In determining [^{F31}whether to agree to a variation], the [^{F33}Secretary of State] shall take into account any representations made to [^{F33}the Secretary of State]—
- (a) by the person with care or [^{F34}non-resident parent] concerned; or
 - (b) where the application for the current [^{F35}calculation] was made under section 7, by either of them or the child concerned.
- (4) In determining [^{F31}whether to agree to a variation], no account shall be taken of the fact that—
- (a) any part of the income of the person with care concerned is, or would be if [^{F36}the [^{F37}Secretary of State] agreed to a variation], derived from any benefit; or
 - (b) some or all of any child support maintenance might be taken into account in any manner in relation to any entitlement to benefit.
- (5) In this section “benefit” has such meaning as may be prescribed.]

Textual Amendments

- F30** S. 28E inserted (14.10.1996 for specified purposes, 2.12.1996 in so far as not already in force) by [Child Support Act 1995 \(c. 34\), ss. 5, 30\(4\)](#); S.I. 1996/2630, art. 2, Sch. Pts. 1, 2
- F31** Words in s. 28E(1)(3)(4) substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(4\)\(a\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F32** Words in s. 28E(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 27\(a\)](#)
- F33** Words in s. 28E(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 27\(b\)](#)
- F34** Words in Act substituted (31.1.2001 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), s. 86\(1\)\(a\)\(2\), Sch. 3 para. 11\(2\)](#) (with s. 83(6)); S.I. 2000/3354, art. 2(1)(b); S.I. 2003/192, art. 3, Sch.
- F35** Word in Act substituted (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 1\(2\)\(b\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2003/192, art. 3, Sch.
- F36** Words in s. 28E(4)(a) substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(4\)\(b\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F37** Words in s. 28E(4)(a) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 27\(c\)](#)

Modifications etc. (not altering text)

- C5** S. 28E modified (31.1.2001) by [The Child Support \(Variations\) \(Modification of Statutory Provisions\) Regulations 2000 \(S.I. 2000/3173\), regs. 1\(1\), 2, 6\(2\)](#)

[^{F38}28F Agreement to a variation.

- (1) The [^{F39}Secretary of State] may agree to a variation if—
- (a) [^{F40}the Secretary of State] is satisfied that the case is one which falls within one or more of the cases set out in Part I of Schedule 4B or in regulations made under that Part; and

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- (b) it is [^{F41}the Secretary of State's] opinion that, in all the circumstances of the case, it would be just and equitable to agree to a variation.
- (2) In considering whether it would be just and equitable in any case to agree to a variation, the [^{F42}Secretary of State]—
- (a) must have regard, in particular, to the welfare of any child likely to be affected if [^{F43}the Secretary of State] did agree to a variation; and
- (b) must, or as the case may be must not, take any prescribed factors into account, or must take them into account (or not) in prescribed circumstances.
- (3) The [^{F44}Secretary of State] shall not agree to a variation (and shall proceed to make [^{F45}a] decision on the application for a maintenance calculation without any variation) if [^{F46}... satisfied that—
- (a) [^{F47}the Secretary of State] has insufficient information to make a decision on the application for the maintenance calculation under section 11, and therefore that [^{F47}the] decision would be made under section 12(1); or
- (b) other prescribed circumstances apply.
- (4) Where the [^{F48}Secretary of State] agrees to a variation, [^{F48}the Secretary of State] shall—
- (a) determine the basis on which the amount of child support maintenance is to be calculated in response to the application for a maintenance calculation [^{F49}... ; and
- (b) make a decision under section 11 on that basis.
- (5) If the [^{F50}Secretary of State] has made an interim maintenance decision, it is to be treated as having been replaced by [^{F50}the Secretary of State's] decision under section 11, and except in prescribed circumstances any appeal connected with it (under section 20) shall lapse.
- (6) In determining whether or not to agree to a variation, the [^{F51}Secretary of State] shall comply with regulations made under Part II of Schedule 4B.]

Textual Amendments

- F38** S. 28F substituted (10.11.2000 for specified purposes, 3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\), ss. 5\(5\), 86\(1\)\(a\)\(2\)](#) (with ss. 28, 83(6)); S.I. 2000/2994, art. 2, Sch. Pt. 1; S.I. 2003/192, art. 3, Sch.
- F39** Words in s. 28F(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 28\(2\)\(a\)](#)
- F40** Words in s. 28F(1)(a) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 28\(2\)\(b\)](#)
- F41** Words in s. 28F(1)(b) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 28\(2\)\(c\)](#)
- F42** Words in s. 28F(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 28\(3\)\(a\)](#)
- F43** Words in s. 28F(2)(a) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\), art. 1\(2\), Sch. para. 28\(3\)\(b\)](#)

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- F44** Words in s. 28F(3) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(4)(a)**
- F45** Word in s. 28F(3) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(4)(b)**
- F46** Words in s. 28F(3) omitted (1.8.2012) by virtue of The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(4)(c)**
- F47** Words in s. 28F(3)(a) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(4)(d)**
- F48** Words in s. 28F(4) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(5)**
- F49** Words in s. 28F(4)(a) repealed (27.10.2008) by Child Maintenance and Other Payments Act 2008 (c. 6), s. 62(3), **Sch. 8**; S.I. 2008/2548, art. 3(d)(i)
- F50** Words in s. 28F(5) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(6)**
- F51** Words in s. 28F(6) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 28(7)**

Modifications etc. (not altering text)

- C6** S. 28F modified (31.1.2001) by The Child Support (Variations) (Modification of Statutory Provisions) Regulations 2000 (S.I. 2000/3173), regs. 1(1), 2, 7

[^{F52}28G Variations: revision and supersession.

- (1) An application for a variation may also be made when a maintenance calculation is in force.
- (2) The Secretary of State may by regulations provide for—
 - (a) sections 16, 17 and 20; and
 - (b) sections 28A to 28F and Schedules 4A and 4B,
 to apply with prescribed modifications in relation to such applications.
- (3) The Secretary of State may by regulations provide that, in prescribed cases (or except in prescribed cases), a decision under section 17 made otherwise than pursuant to an application for a variation may be made on the basis of a variation agreed to for the purposes of an earlier decision without a new application for a variation having to be made.]

Textual Amendments

- F52** S. 28G substituted (10.11.2000 for specified purposes, 1.1.2001 for specified purposes, 3.3.2003 for specified purposes) by Child Support, Pensions and Social Security Act 2000 (c. 19), **ss. 7, 86(1)(a)(2)** (with **ss. 28, 83(6)**); S.I. 2000/2994, art. 2, **Sch. Pts. 1, 2**; S.I. 2003/192, art. 3, **Sch.**

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^{F53} **28H Departure directions: decisions and appeals**

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Textual Amendments

F53 S. 28H repealed (3.3.2003 for specified purposes) by [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#), s. 86(1)(a)(2), Sch. 3 para. 11(14), **Sch. 9 Pt. 1** (with s. 83(6)); S.I. 2003/192, art. 3, Sch.

^{F54} **28I Transitional provisions.**

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Status:

Point in time view as at 01/08/2012.

Changes to legislation:

Child Support Act 1991, Cross Heading: Variations is up to date with all changes known to be in force on or before 07 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.