



Child Support Act 1991

1991 CHAPTER 48

Special cases

42 Special cases.

- (1) The Secretary of State may by regulations provide that in prescribed circumstances a case is to be treated as a special case for the purposes of this Act.
- (2) Those regulations may, for example, provide for the following to be special cases—
 - (a) each parent of a child is an absent parent in relation to the child;
 - (b) there is more than one person who is a person with care in relation to the same child;
 - (c) there is more than one qualifying child in relation to the same absent parent but the person who is the person with care in relation to one of those children is not the person who is the person with care in relation to all of them;
 - (d) a person is an absent parent in relation to more than one child and the other parent of each of those children is not the same person;
 - (e) the person with care has care of more than one qualifying child and there is more than one absent parent in relation to those children;
 - (f) a qualifying child has his home in two or more separate households.
- (3) The Secretary of State may by regulations make provision with respect to special cases.
- (4) Regulations made under subsection (3) may, in particular—
 - (a) modify any provision made by or under this Act, in its application to any special case or any special case falling within a prescribed category;
 - (b) make new provision for any such case; or
 - (c) provide for any prescribed provision made by or under this Act not to apply to any such case.

43 Contribution to maintenance by deduction from benefit.

- (1) This section applies where—

Status: Point in time view as at 17/06/1992.

Changes to legislation: Child Support Act 1991, Cross Heading: Special cases is up to date with all changes known to be in force on or before 28 May 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. (See end of Document for details)

- (a) by virtue of paragraph 5(4) of Schedule 1, an absent parent is taken for the purposes of that Schedule to have no assessable income; and
 - (b) such conditions as may be prescribed for the purposes of this section are satisfied.
- (2) The power of the Secretary of State to make regulations under section 51 of the ^{M1}Social Security Act 1986 by virtue of subsection (1)(r), (deductions from benefits) may be exercised in relation to cases to which this section applies with a view to securing that—
- (a) payments of prescribed amounts are made with respect to qualifying children in place of payments of child support maintenance; and
 - (b) arrears of child support maintenance are recovered.

Commencement Information

II S. 43 wholly in force; s. 43 not in force at Royal Assent see s. 58(2); s. 43(1)(b)(2)(a) in force at 17.6.1992 by S.I. 1992/1431, art. 2, **Sch.**; s. 43 in force in so far as not already in force at 5.4.1993 by S.I. 1992/2644, art. 2

Marginal Citations

M1 1986 c. 50.

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