

Status: Point in time view as at 29/07/2013.

Changes to legislation: Child Support Act 1991, Cross Heading: Shared care—basic and reduced rate is up to date with all changes known to be in force on or before 06 August 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)

SCHEDULES

SCHEDULE 1

MAINTENANCE [F1CALCULATIONS]

Textual Amendments

- F1** 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.

[F1PART I

CALCULATION OF WEEKLY AMOUNT OF CHILD SUPPORT MAINTENANCE

Textual Amendments

- F1** Sch. 1 Pt. 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. 1\(3\)](#), [86\(1\)\(a\)\(2\)](#), **Sch. 1** (with [ss. 28, 83\(6\)](#)); [S.I. 2000/2994](#), art. 2(1), Sch. Pt. 1; [S.I. 2003/192](#), art. 3, Sch.

Modifications etc. (not altering text)

- C1** Sch. 1 para. 6 (as originally enacted) amended (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(8)(d), **Sch. 24 paras. 4, 5**; [S.I. 2005/3175](#), art. 2(1), Sch. 1
- C1** Sch. 1 para. 5 (as originally enacted) amended (18.3.2008 for specified purposes, 27.10.2008 in so far as not already in force) by [Welfare Reform Act 2007 \(c. 5\)](#), s. 70(2), **Sch. 3 para. 7(8)**; [S.I. 2008/787](#), art. 2(1)(4)(f), Sch.
- C1** Sch. 1 Pt. 1 applied (10.12.2012 for specified purposes) by [The Child Support Maintenance Calculation Regulations 2012 \(S.I. 2012/2677\)](#), regs. 1, 53
- C1** Sch. 1 para. 5 (as originally enacted) amended (25.2.2013 for specified purposes, 29.4.2013 in so far as not already in force) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), **Sch. 2 para. 2**; [S.I. 2013/358](#), art. 2(1), Sch. 1 para. 21; [S.I. 2013/983](#), art. 3(1)(b)(i)

Shared care—basic and reduced rate

- 7 (1) [F2This paragraph applies where the rate of child support maintenance payable is the basic rate or a reduced rate or is determined under paragraph 5A.]
- (2) [F3If the care of a qualifying child is, or is to be, shared] between the non-resident parent and the person with care, so that the non-resident parent from time to time has care of the child overnight, the amount of child support maintenance which he would otherwise have been liable to pay the person with care, as calculated in accordance with the preceding paragraphs of this Part of this Schedule, is to be decreased in accordance with this paragraph.

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- (3) First, there is to be a decrease according to the number of such nights which the [^{F4}Secretary of State] determines there to have been, or expects there to be, or both during a prescribed twelve-month period.
- (4) The amount of that decrease for one child is set out in the following Table—

Number of nights	Fraction to subtract
52 to 103	One-seventh
104 to 155	Two-sevenths
156 to 174	Three-sevenths
175 or more	One-half

- (5) If the person with care is caring for more than one qualifying child of the non-resident parent, the applicable decrease is the sum of the appropriate fractions in the Table divided by the number of such qualifying children.
- (6) If the applicable fraction is one-half in relation to any qualifying child in the care of the person with care, the total amount payable to the person with care is then to be further decreased by £7 for each such child.
- (7) If the application of the preceding provisions of this paragraph would decrease the weekly amount of child support maintenance (or the aggregate of all such amounts) payable by the non-resident parent to the person with care (or all of them) to less than £5, he is instead liable to pay child support maintenance at the rate of £5 a week, apportioned (if appropriate) in accordance with paragraph 6.]

Textual Amendments

- F2** Sch. 1 para. 7(1) substituted (10.12.2012 for specified purposes, 29.7.2013 for specified purposes, 25.11.2013 in so far as not already in force) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 7 para. 1\(29\)](#); S.I. 2012/3042, arts. 2(e), 3 (with arts. 5, 6) (as amended (29.7.2013) by S.I. 2013/1860, art. 6 and (24.6.2014) by S.I. 2014/1635, art. 6); S.I. 2013/1860, arts. 2(e), 3 (with arts. 5, 7) (as amended (24.6.2014) by S.I. 2014/1635, art. 7); S.I. 2013/2947, art. 2(c) (with arts. 3-5)
- F3** Words in Sch. 1 para. 7(2) substituted (10.12.2012 for specified purposes, 29.7.2013 for specified purposes, 25.11.2013 in so far as not already in force) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 4 para. 6](#); S.I. 2012/3042, arts. 2(b), 3 (with arts. 5, 6) (as amended (29.7.2013) by S.I. 2013/1860, art. 6 and (24.6.2014) by S.I. 2014/1635, art. 6); S.I. 2013/1860, arts. 2(b), 3 (with arts. 5, 7) (as amended (24.6.2014) by S.I. 2014/1635, art. 7); S.I. 2013/2947, art. 2(a) (with arts. 3-5)
- F4** Words in Sch. 1 para. 7(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. 62\(2\)\(a\)](#)

Modifications etc. (not altering text)

- C1** Sch. 1 para. 7 modified (3.3.2003 for specified purposes) by [The Child Support \(Maintenance Calculations and Special Cases\) Regulations 2000 \(S.I. 2001/155\), regs. 1\(4\), 11\(4\)](#); S.I. 2003/192, art. 3(1), Sch.
- C2** Sch. 1 para. 7 applied (10.12.2012 for specified purposes) by [The Child Support Maintenance Calculation Regulations 2012 \(S.I. 2012/2677\), regs. 1, 74\(3\)](#) (with reg. 74(5))
- C3** Sch. 1 para. 7 applied (with modifications) (10.12.2012 for specified purposes) by [The Child Support Maintenance Calculation Regulations 2012 \(S.I. 2012/2677\), regs. 1, 74\(2\)](#) (with reg. 74(5))

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- C4** Sch. 1 para. 7(3) modified (10.12.2012 for specified purposes) by [The Child Support Maintenance Calculation Regulations 2012 \(S.I. 2012/2677\)](#), regs. 1, **46(3)**
- C5** Sch. 1 para. 7(4) modified (3.3.2003 for specified purposes) by [The Child Support \(Maintenance Calculations and Special Cases\) Regulations 2000 \(S.I. 2001/155\)](#), regs. 1(4), **7(4)**; [S.I. 2003/192](#), art. 3(1), Sch.

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