



Child Support Act 1991

1991 CHAPTER 48

Maintenance [F1 calculations]

[F112] **Default and interim maintenance decisions.**

- (1) Where the [F2 Secretary of State]—
 - (a) is required to make a maintenance calculation; or
 - (b) is proposing to make a decision under section 16 or 17,and it appears to [F3 the [F2 Secretary of State]] that [F4 the Secretary of State] does not have sufficient information to enable [F5 such a decision to be made], [F6 the Secretary of State] may make a default maintenance decision.
- (2) Where an application for a variation has been made under section 28A(1) in connection with an application for a maintenance calculation ^{F7}... , the [F8 Secretary of State] may make an interim maintenance decision.
- (3) The amount of child support maintenance fixed by an interim maintenance decision shall be determined in accordance with Part I of Schedule 1.
- (4) The Secretary of State may by regulations make provision as to default and interim maintenance decisions.
- (5) The regulations may, in particular, make provision as to—
 - (a) the procedure to be followed in making a default or an interim maintenance decision; and
 - (b) a default rate of child support maintenance to apply where a default maintenance decision is made.]

Textual Amendments

- F1** S. 12 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. 4**, 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.

Status: Point in time view as at 01/08/2012.

Changes to legislation: Child Support Act 1991, Section 12 is up to date with all changes known to be in force on or before 22 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)

- F2** Words in s. 12(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. 8(2)(a)**
- F3** Words in s. 12(1) substituted (1.11.2008) by Child Maintenance and Other Payments Act 2008 (c. 6), s. 62(3), **Sch. 3 para. 9(2)(b)**; S.I. 2008/2675, **art. 3(b)** (with art. 4)
- F4** Words in s. 12(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. 8(2)(b)**
- F5** Words in s. 12(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. 8(2)(c)**
- F6** Words in s. 12(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. 8(2)(d)**
- F7** Words in s. 12(2) 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)
- F8** Words in s. 12(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. 8(3)**

Status:

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