



Child Support Act 1991

1991 CHAPTER 48

Reviews and appeals

18 Reviews of decisions of child support officers.

- (1) Where—
 - (a) an application for a maintenance assessment is refused; or
 - (b) an application, under section 17, for the review of a maintenance assessment which is in force is refused,the person who made that application may apply to the Secretary of State for the refusal to be reviewed.
- (2) Where a maintenance assessment is in force—
 - (a) the absent parent or person with care with respect to whom it was made; or
 - (b) where the application for the assessment was made under section 7, either of them or the child concerned,may apply to the Secretary of State for the assessment to be reviewed.
- (3) Where a maintenance assessment is cancelled the appropriate person may apply to the Secretary of State for the cancellation to be reviewed.
- (4) Where an application for the cancellation of a maintenance assessment is refused, the appropriate person may apply to the Secretary of State for the refusal to be reviewed.
- (5) An application under this section shall give the applicant's reasons (in writing) for making it.
- (6) The Secretary of State shall refer to a child support officer any application under this section which is duly made; and the child support officer shall conduct the review applied for unless in his opinion there are no reasonable grounds for supposing that the refusal, assessment or cancellation in question—
 - (a) was made in ignorance of a material fact;
 - (b) was based on a mistake as to a material fact;
 - (c) was wrong in law.

Status: Point in time view as at 17/06/1992. This version of this provision has been superseded.

Changes to legislation: Child Support Act 1991, Section 18 is up to date with all changes known to be in force on or before 26 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)

- (7) The Secretary of State shall arrange for a review under this section to be conducted by a child support officer who played no part in taking the decision which is to be reviewed.
- (8) Before conducting any review under this section, the child support officer concerned shall give to such persons as may be prescribed, such notice of the proposed review as may be prescribed.
- (9) If a child support officer conducting a review under this section is satisfied that a maintenance assessment or (as the case may be) a fresh maintenance assessment should be made, he shall proceed accordingly.
- (10) In making a maintenance assessment by virtue of subsection (9), a child support officer shall, if he is aware of any material change of circumstance since the decision being reviewed was taken, take account of that change of circumstance in making the assessment.
- (11) The Secretary of State may make regulations—
- (a) as to the manner in which applications under this section are to be made;
 - (b) as to the procedure to be followed with respect to such applications; and
 - (c) with respect to reviews conducted under this section.
- (12) In this section “appropriate person” means—
- (a) the absent parent or person with care with respect to whom the maintenance assessment in question was, or remains, in force; or
 - (b) where the application for that assessment was made under section 7, either of those persons or the child concerned.

Modifications etc. (not altering text)

- C1** S. 18 applied (5.4.1993) by [S.I. 1992/1813, reg. 52\(4\)\(5\)](#); s. 18(5)-(8) extended (with modifications) (5.4.1993) by [S.I. 1992/1813, reg. 9\(6\)\(7\)](#); s. 18(5)-(9)(11) applied (with modifications) (5.4.1993) by [S.I. 1992/1813, reg. 52\(4\)\(5\)](#); s. 18(5)-(9)(11) applied (with modifications) (5.4.1993) by [S.I. 1992/1816, reg. 12\(1\)\(3\)](#)

Commencement Information

- II** S. 18 wholly in force; s. 18 not in force at Royal Assent see s. 58(2); s. 18(8)(11) in force at 17.6.1992 by [S.I. 1992/1431, art. 2, Sch.](#); s. 18 in force in so far as not already in force at 5.4.1993 by [S.I. 1992/2644, art. 2](#)

Status:

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Changes to legislation:

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