



# Child Support Act 1991

## 1991 CHAPTER 48

### *Reviews and appeals*

#### **[F119] Reviews at instigation of child support officers.**

- (1) Where a child support officer is not conducting a review under section 16, 17 or 18, he may nevertheless review—
  - (a) a refusal to make a maintenance assessment,
  - (b) a refusal to review a maintenance assessment under section 17,
  - (c) a maintenance assessment (whether or not in force),
  - (d) a cancellation of a maintenance assessment, or
  - (e) a refusal to cancel a maintenance assessment,if he suspects that it may be defective for one or more of the reasons set out in subsection (2).
- (2) The reasons are that the refusal, assessment or cancellation—
  - (a) was made in ignorance of a material fact;
  - (b) was based on a mistake as to a material fact; or
  - (c) was wrong in law.
- (3) If, on completing such a review, the child support officer is satisfied that the refusal, assessment or cancellation is defective for one or more of those reasons, he may—
  - (a) take no further action;
  - (b) in the case of a maintenance assessment which has been cancelled, set aside the cancellation;
  - (c) make a maintenance assessment;
  - (d) make a fresh maintenance assessment;
  - (e) cancel the maintenance assessment in question.
- (4) Where a child support officer sets a cancellation aside under subsection (3), the maintenance assessment in question shall have effect as if it had never been cancelled.

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*Status: Point in time view as at 22/01/1996. This version of this provision has been superseded.*

*Changes to legislation: Child Support Act 1991, Section 19 is up to date with all changes known to be in force on or before 03 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)*

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- (5) Any cancellation of a maintenance assessment under this section shall have effect from such date as may be determined by the child support officer.
- (6) Where a child support officer suspects that if an application for a review of a maintenance assessment were to be made under section 17 it would be appropriate to make one or more fresh maintenance assessments, he may review the maintenance assessment even though no application for its review has been made under that section.
- (7) If, on completing a review by virtue of subsection (6), the child support officer is satisfied that it would be appropriate to make one or more fresh maintenance assessments, he may do so.]

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**Textual Amendments**

- F1** S. 19 substituted (22.1.1996) by [Child Support Act 1995 \(c. 34\)](#), **ss. 15**, 30(4); S.I. 1995/3262, art. 2, Sch. Pt. 2

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