



Child Support Act 1991

1991 CHAPTER 48

Reviews and appeals

27 Reference to court for declaration of parentage.

[^{F1}(1) Subsection (1A) applies in any case where—

- (a) an application for a maintenance assessment has been made, or a maintenance assessment is in force, with respect to a person (“the alleged parent”) who denies that he is a parent of a child with respect to whom the application or assessment was made; and
- (b) a child support officer to whom the case is referred is not satisfied that the case falls within one of those set out in section 26(2).

(1A) In any case where this subsection applies, the Secretary of State or the person with care may apply to the court for a declaration as to whether or not the alleged parent is one of the child’s parents.]

(2) If, on hearing any application under subsection [^{F2}(1A)], the court is satisfied that the alleged parent is, or is not, a parent of the child in question it shall make a declaration to that effect.

[^{F3}(3) A declaration under this section shall have effect only for the purposes of—

- (a) this Act; and
- (b) proceedings in which a court is considering whether to make a maintenance order in the circumstances mentioned in subsection (6), (7) or (8) of section 8.]

(4) In this section “court” means, subject to any provision made under Schedule 11 to the ^{M1}Children Act 1989 (jurisdiction of courts with respect to certain proceedings relating to children) the High Court, a county court or a magistrates’ court.

(5) In the definition of “relevant proceedings” in section 12(5) of the Civil Evidence Act 1968 (findings of paternity etc. as evidence in civil proceedings) the following paragraph shall be added at the end—

“(d) section 27 of the Child Support Act 1991.”

(6) This section does not apply to Scotland.

Status: Point in time view as at 04/09/1995. This version of this provision has been superseded.

Changes to legislation: Child Support Act 1991, Section 27 is up to date with all changes known to be in force on or before 11 July 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)

Textual Amendments

- F1** S. 27(1)(1A) substituted for s. 27(1) (4.9.1995) by [Child Support Act 1995 \(c. 34\), ss. 20\(2\), 30\(4\); S.I. 1995/2302, art. 2, Sch. Pt. 1](#)
- F2** Word in s. 27(2) substituted (4.9.1995) by [Child Support Act 1995 \(c. 34\), ss. 20\(3\), 30\(4\); S.I. 1995/2302, art. 2, Sch. Pt. 1](#)
- F3** S. 27(3) substituted (4.9.1995) by [Child Support Act 1995 \(c. 34\), ss. 20\(4\), 30\(4\); S.I. 1995/2302, art. 2, Sch. Pt. 1](#)
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Marginal Citations

- M1** [1989 c. 41.](#)

Status:

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