



# Child Support Act 1991

## 1991 CHAPTER 48

### *Collection and enforcement*

#### **[<sup>F1</sup>32C Regulations about orders under section 32A**

- (1) The Secretary of State may by regulations make provision with respect to orders under section 32A.
- (2) Regulations under subsection (1) may, in particular, make provision—
  - (a) requiring an order to specify the amount or amounts in respect of which it is made;
  - (b) requiring an order to specify the amounts which are to be deducted under it in order to meet liabilities under the maintenance calculation in question;
  - (c) requiring an order to specify the dates on which deductions are to be made under it;
  - (d) for the rate of deduction under an order not to exceed such rate as may be specified in, or determined in accordance with, the regulations;
  - (e) as to circumstances in which amounts standing to the credit of an account are to be disregarded for the purposes of section 32A;
  - (f) as to the payment of sums deducted under an order to the Commission;
  - (g) allowing the deposit-taker at which an order is directed to deduct from the amount standing to the credit of the account specified in the order a prescribed amount towards its administrative costs before making any deduction required by section 32A(6)(a);
  - (h) with respect to notifications to be given to the person against whom an order is made (and, in the case of an order made in respect of a joint account, to the other account-holders) of amounts deducted, and amounts paid, under the order;
  - (i) requiring the deposit-taker at which an order is directed to notify the Commission in the prescribed manner and within a prescribed period—
    - (i) if the account specified in the order does not exist at the time at which the order is served on the deposit-taker;

*Status: Point in time view as at 01/06/2009. This version of this provision has been superseded.*

*Changes to legislation: Child Support Act 1991, Section 32C is up to date with all changes known to be in force on or before 09 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)*

- (ii) of any other accounts held with the deposit-taker at that time by the person against whom the order is made;
  - (j) requiring the deposit-taker at which an order is directed to notify the Commission in the prescribed manner and within a prescribed period if, after the time at which the order is served on the deposit-taker—
    - (i) the account specified in the order is closed;
    - (ii) a new account of any description is opened with the deposit-taker by the person against whom the order is made;
  - (k) as to circumstances in which the deposit-taker at which an order is directed, the person against whom the order is made and (in the case of an order made in respect of a joint account) the other account-holders may apply to the Commission for it to review the order and as to such a review;
  - (l) for the variation of orders;
  - (m) similar to that made by section 32A(8), in relation to any variation of an order;
  - (n) for an order to lapse in such circumstances as may be prescribed;
  - (o) as to the revival of an order in such circumstances as may be prescribed;
  - (p) allowing or requiring an order to be discharged;
  - (q) as to the giving of notice by the Commission to the deposit-taker that an order has lapsed or ceased to have effect.
- (3) The Secretary of State may by regulations make provision with respect to priority as between an order under section 32A and—
- (a) any other order under that section;
  - (b) any order under any other enactment relating to England and Wales which provides for deductions from the same account;
  - (c) any diligence done in Scotland against the same account.
- (4) The Secretary of State shall by regulations make provision for any person affected to have a right to appeal to a court—
- (a) against the making of an order under section 32A;
  - (b) against any decision made by the Commission on an application under regulations made under subsection (2)(k).
- (5) On an appeal under regulations made under subsection (4)(a), the court shall not question the maintenance calculation by reference to which the order was made.
- (6) Regulations under subsection (4) may include—
- (a) provision with respect to the period within which a right of appeal under the regulations may be exercised;
  - (b) provision with respect to the powers of the court to which the appeal under the regulations lies.]

#### Textual Amendments

**F1** Ss. 32A-32D inserted (1.6.2009 for specified purposes, 3.8.2009 in so far as not already in force) by [Child Maintenance and Other Payments Act 2008 \(c. 6\)](#), **ss. 22, 62(3)**; S.I. 2009/1314, **art. 2(1)(a)**

#### Modifications etc. (not altering text)

**C1** S. 32C modified (10.6.2008) by [Child Maintenance and Other Payments Act 2008 \(c. 48\)](#), **s. 59(5)**; S.I. 2008/1476, **art. 2(6)**

**Status:**

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