

CHILD SUPPORT, PENSIONS AND SOCIAL SECURITY ACT 2000

EXPLANATORY NOTES

Part 1: Child Support

Commentary on Sections

Information

Section 13: Information – offences

142. The current child support scheme can be thwarted by parents who fail to produce the information required to make a child maintenance assessment. Parents may also provide false information, which can result in an incorrect assessment of liability. When the current scheme was developed, this problem was to be addressed by applying punitive interim maintenance assessments to uncooperative non-resident parents. This sanction has proved ineffective because it is practically impossible to enforce a punitive interim maintenance assessment. The lack of effective sanctions was highlighted in the Benefit Fraud Inspectorate's report on the Child Support Agency.
143. The White Paper *A new contract for welfare: CHILDREN'S RIGHTS AND PARENTS' RESPONSIBILITIES* made it clear that, for the new scheme, the Government intended to ensure that parents who sought to avoid their child support responsibilities would face effective penalties. In particular the White Paper proposed a new penalty for parents who lied to the Child Support Agency or refused to provide information.
144. [Section 13](#) introduces a new section 14A which provides for a fine of up to £1000 for anyone who provides false information or refuses to supply information to the CSA.

New section 14A: Information – offences

145. *New section 14A(1)* provides whom this section applies to.
- Subsection (1)(a)* specifies those who are required to provide the information necessary to trace and, in the case of a maintenance application made under section 4, identify the non-resident parent, and to assess and collect the maintenance liability.
- Subsection (1)(b)* enables the Secretary of State to apply the section to other persons. It is intended to specify for example, employers of non-resident parents and accountants.
146. *New section 14A(2)* introduces an offence of knowingly making a false statement or representation or knowingly providing, or allowing to be provided, information which is false.
147. *New section 14A(3)* introduces an offence of failure to provide information when required by the Secretary of State to do so.
148. *New section 14A(4)* provides that if a person has a reasonable excuse for failing to comply with the Secretary of State's request he may use this as a defence.

*These notes refer to the Child Support, Pensions and Social Security
Act 2000 (c.19) which received Royal Assent on 28th July 2000*

149. *New section 14A(5)* provides that if a person is found guilty of either new offence, he will be subject on conviction to a fine of up to £1000.