

These notes refer to the Child Maintenance and Other Payments Act 2008 (c.6) which received Royal Assent on 5 June 2008

CHILD MAINTENANCE AND OTHER PAYMENTS ACT 2008

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 – Child Support etc.

Debt management powers

Section 33: Power to write off arrears

338. This section inserts new *section 41E* into the Child Support Act 1991, enabling the Commission to write off arrears in circumstances where it appears to the Commission that:
- the circumstances of a case are as specified in regulations made by the Secretary of State; and
 - it would be unfair or otherwise inappropriate to enforce liability for maintenance arrears (for example, if a parent with care does not wish the arrears to be pursued because of a reconciliation with the non-resident parent).
339. *Subsection (2)* of *section 41E* provides regulation-making power to the Secretary of State with respect to the Commission's power to write off arrears.