
STATUTORY INSTRUMENTS

1992 No. 1813

**The Child Support (Maintenance
Assessment Procedure) Regulations 1992**

PART IV

**NOTIFICATIONS FOLLOWING CERTAIN
DECISIONS BY CHILD SUPPORT OFFICERS**

Notification of a new or a fresh maintenance assessment

- 10.**—^{F1}(1) A person with a right of appeal to ^{F2}the First-tier Tribunal] under—
- (a) section 20 of the Act; and
 - (b) section 20 of the Act as extended by paragraph 3(1)(b) of Schedule 4C to the Act,
- shall be given notice of that right and of the decision to which that right relates.]
- ^{F3}(1A)
^{F3}(1B)
^{F3}(1C)
- (2) [^{F4}Subject to [^{F5}paragraphs (2A) and (2B)], a notification under paragraph (1)]^{F6}of a new or fresh maintenance assessment made under section 11, 16 or 17] shall set out, in relation to the maintenance assessment in question—
- (a) the maintenance requirement;
 - (b) the effective date of the assessment;
 - ^{F7}(c) the net and assessable income of the absent parent and, where relevant, the amount determined under regulation 9(1)(b) of the Maintenance Assessments and Special Cases Regulations (housing costs);]
 - ^{F8}(cc) where relevant, the absent parent’s protected income level and the amount of the maintenance assessment before the adjustment in respect of protected income specified in paragraph 6(2) of Schedule 1 to the Act was carried out;]
 - ^{F9}(d) the net and assessable income of the parent with care, and, where relevant, an amount in relation to housing costs determined in the manner specified in regulation 10 of the Maintenance Assessments and Special Cases Regulations (calculation of exempt income of parent with care);]
 - (e) details as to the minimum amount of child support maintenance payable by virtue of regulations made under paragraph 7 of Schedule 1 to the Act; and
 - (f) details as to apportionment where a case is to be treated as a special case for the purposes of the Act under section 42 of the Act.

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[^{F10}(h) any amount determined in accordance with Schedule 3A or 3B to the Maintenance Assessments and Special Cases Regulations (qualifying transfer of property and travel costs).]

[^{F11}(i) where the notification under paragraph (1)(a) ^{F12}... follows the giving, or cancellation of a departure direction, the amounts calculated in accordance with Part I of Schedule 1 to the Act, or in accordance with regulation 8A, which have been changed as a result of the giving or cancellation of that departure direction.]

[^{F13}(2A) Where a new Category A [^{F14}Category C or D] interim maintenance assessment is made, or a fresh Category A [^{F14}Category C or D] interim maintenance assessment is made following [^{F15}a revision of a maintenance assessment under section 16 of the Act or a supersession of a maintenance assessment under section 17 of the Act] of the Act, a notification under paragraph (1) shall set out, in relation to that interim maintenance assessment, the maintenance requirement and the effective date.]

[^{F16}(2AA) where a fresh Category D interim maintenance assessment is made following the giving or cancellation of a departure direction, a notification under paragraph (1) shall set out in relation to that interim maintenance assessment the amounts calculated in accordance with regulation 8A which have changed as a result of the giving or cancellation of that departure direction.]

[^{F17}(2B) A notification under paragraph (1) in relation to a Category B interim maintenance assessment shall set out in relation to it—

- [^{F18}(a) the matters listed in sub-paragraphs (a), (b) and (d) to (f) of paragraph (2);
- (b) where known, the absent parent's assessable income; and
- (c) where the Category B interim maintenance assessment is made following the giving or cancellation of a departure direction, the amounts calculated in accordance with regulation 8A which have changed as a result of the giving or cancellation of that departure direction.]]

(3) Except where a person gives written permission to the Secretary of State that the information, in relation to him, mentioned in sub-paragraphs (a) and (b) below may be conveyed to other persons, any document given or sent under the provisions of paragraph (1) or (2) shall not contain—

- (a) the address of any person other than the recipient of the document in question (other than the address of the office [^{F19}of the officer concerned who is exercising functions of the Secretary of State under the Act]) or any other information the use of which could reasonably be expected to lead to any such person being located;
- (b) any other information the use of which could reasonably be expected to lead to any person, other than a qualifying child or a relevant person, being identified.

[^{F20}(4) Where a decision as to a maintenance assessment is made under section 11, 12, 16 or 17 of the Act, a notification under paragraph (1) shall include information as to the provisions of sections 16 and 17 of the Act.]

^{F20}(5)

[^{F21}(5) Paragraphs (2) to (4) of this regulation apply in the case of a decision in respect of which there is no right of appeal as the result of regulation 17A (consideration of revision before appeal) as they apply in the case of a decision which may be appealed under section 20 of the Act (as it has effect apart from section 10 of the Child Support, Pensions and Social Security Act 2000).]

^{F20}(6)

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Textual Amendments

- F1** Reg. 10(1) substituted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(a)**
- F2** Words in reg. 10(1) substituted (3.11.2008) by [The Tribunals, Courts and Enforcement Act 2007 \(Transitional and Consequential Provisions\) Order 2008 \(S.I. 2008/2683\)](#), art. 1, **Sch. 1 para. 58**
- F3** Reg. 10(1A)-(1C) omitted (1.6.1999) by virtue of [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(b)**
- F4** Words in reg. 10(2) substituted (16.2.1995) by [The Child Support \(Miscellaneous Amendments\) Regulations 1995 \(S.I. 1995/123\)](#), regs. 1(1), **6(2)**
- F5** Words in reg. 10(2) substituted (18.4.1995) by [The Child Support and Income Support \(Amendment\) Regulations 1995 \(S.I. 1995/1045\)](#), regs. 1(2), **30(3)**
- F6** Words in reg. 10(2) inserted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(c)**
- F7** Reg. 10(2)(c) substituted (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **18(3)**
- F8** Reg. 10(2)(cc) inserted (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **18(4)**
- F9** Reg. 10(2)(d) substituted (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **18(5)**
- F10** Reg. 10(2)(h) added (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **18(6)**
- F11** Reg. 10(2)(i) inserted (2.12.1996) by [The Child Support Departure Direction and Consequential Amendments Regulations 1996 \(S.I. 1996/2907\)](#), regs. 1(1), **67(3)**
- F12** Words in reg. 10(2)(i) deleted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(c)(ii)**
- F13** Reg. 10(2A) inserted (16.2.1995) by [The Child Support \(Miscellaneous Amendments\) Regulations 1995 \(S.I. 1995/123\)](#), regs. 1(1), **6(3)**
- F14** Words in reg. 10(2A) inserted (18.4.1995) by [The Child Support and Income Support \(Amendment\) Regulations 1995 \(S.I. 1995/1045\)](#), regs. 1(2), **30(4)**
- F15** Words in reg. 10(2A) substituted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(d)**
- F16** Reg. 10(2AA) added (2.12.1996) by [The Child Support Departure Direction and Consequential Amendments Regulations 1996 \(S.I. 1996/2907\)](#), regs. 1(1), **67(4)**
- F17** Reg. 10(2B) inserted (18.4.1995) by [The Child Support and Income Support \(Amendment\) Regulations 1995 \(S.I. 1995/1045\)](#), regs. 1(2), **30(5)**
- F18** Reg. 10(2B)(a)-(c) substituted for Reg. 10(2B)(a)(b) (2.12.1996) by [The Child Support Departure Direction and Consequential Amendments Regulations 1996 \(S.I. 1996/2907\)](#), regs. 1(1), **67(5)**
- F19** Words in reg. 10(3)(a) substituted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(e)**
- F20** Reg. 10(4) substituted for regs. 10(4)-(6) (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **11(f)**
- F21** Reg. 10(5) inserted (28.10.2013) by [The Social Security, Child Support, Vaccine Damage and Other Payments \(Decisions and Appeals\) \(Amendment\) Regulations 2013 \(S.I. 2013/2380\)](#), regs. 1(2), **3(2)**

^{F22}Notification of increase or reduction in the amount of a maintenance assessment

10A.—(1) Where, in a case falling within paragraph (2B) of regulation 22 of the Maintenance Assessments and Special Cases Regulations (multiple applications relating to an absent parent), ^{F23}[the Secretary of State] has increased or reduced one or more of the other maintenance assessments referred to in that paragraph following the making of the fresh assessment referred to in subparagraph (c) of that paragraph, he shall, so far as that is reasonably practicable, immediately notify

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the relevant persons in respect of whom each maintenance assessment so increased or reduced was made of—

- (a) the making of that fresh assessment;
- (b) the amount of the increase or reduction in that maintenance assessment; and
- (c) the date on which that increase or reduction shall take effect,

and the notification shall include information as to the provisions of [^{F23}sections 16 and 17] of the Act.

(2) Except where a person gives written permission to the Secretary of State that the information in relation to him mentioned in sub-paragraphs (a) and (b) below may be conveyed to other persons, any document given or sent under the provisions of paragraph (1) shall not contain—

- (a) the address of any person other than the recipient of the document in question (other than the address of the office [^{F24}of the officer concerned who is exercising functions of the Secretary of State under the Act]) or any other information the use of which could reasonably be expected to lead to any such person being located;
- (b) any other information the use of which could reasonably be expected to lead to any person, other than a qualifying child or a relevant person, being identified.]

Textual Amendments

F22 Reg. 10A inserted (19.1.1998) by [The Child Support \(Miscellaneous Amendments\) Regulations 1998 \(S.I. 1998/58\)](#), regs. **1(1)**, 38

F23 Words in reg. 10A(1) substituted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **12(a)**

F24 Words in reg. 10A(2) inserted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **12(b)**

Notification of a refusal to conduct a review

^{F25}**11.**

Textual Amendments

F25 Reg. 11 revoked (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **13**

Notification of a refusal to make a new or a fresh maintenance assessment

^{F26}**12.**

Textual Amendments

F26 Regs. 11-15A revoked (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **13**

Notification of a refusal to cancel a maintenance assessment

^{F26}**13.**

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Textual Amendments

F26 Regs. 11-15A revoked (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **13**

Notification of a cancellation of a maintenance assessment

^{F26}**14.**

Textual Amendments

F26 Regs. 11-15A revoked (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **13**

Notification of a refusal to reinstate a cancelled maintenance assessment

^{F26}**15.**

Textual Amendments

F26 Regs. 11-15A revoked (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **13**

^{F27}**Notification of reinstatement of a maintenance assessment**

^{F26}**15A.**]

Textual Amendments

F26 Regs. 11-15A revoked (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(1), **13**

F27 Reg. 15A added (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), **22**

Notification when an applicant under section 7 of the Act ceases to be a child

16. Where a maintenance assessment has been made in response to an application by a child under section 7 of the Act and that child ceases to be a child for the purposes of the Act, a child support officer shall immediately notify, so far as that is reasonably practicable—

- (a) the other qualifying children [^{F28}who have attained the age of 12 years] and the absent parent with respect to whom that maintenance assessment was made; and
- (b) the person with care.

Textual Amendments

F28 Words in reg. 16(a) substituted (5.4.1993) by [The Child Support \(Miscellaneous Amendments\) Regulations 1993 \(S.I. 1993/913\)](#), regs. 1(1), **6**

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[^{F29}Notification that an appeal has lapsed

[^{F30}16A. Where an appeal lapses in accordance with section 16(6) of the Act, the Secretary of State shall, so far as is reasonably practicable, notify the relevant persons that that appeal has lapsed.]]

Textual Amendments

- F29** Reg. 16A added (22.1.1996) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1995 \(S.I. 1995/3261\)](#), regs. 1(2), 23
- F30** Reg. 16A substituted (1.6.1999) by [The Child Support \(Miscellaneous Amendments\) \(No. 2\) Regulations 1999 \(S.I. 1999/1047\)](#), regs. 1(2), **15**

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Changes and effects yet to be applied to :

- Regulations modified by [S.I. 1999/779 art. 2Sch.](#)
- Regulations revoked in part by [S.I. 2001/157 reg. 30\(1\)](#)
- [reg.SC rev.in pt. and amended by S.I. 1999/1047 reg 8](#)
- [reg.SD rev.in pt. and amended by S.I. 1999/1047 reg 9](#)
- [reg.31\(13\(2\) amended by S.I. 1998/2799 reg.2\(4\)\(a\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- [Sch. 1 para. 1\(a\) words substituted by S.I. 1999/977 reg. 5](#)
- [Sch. 1 para. 3\(a\) words substituted by S.I. 1999/977 reg. 5](#)
- [reg.8B\(1\) amended by S.I. 1998/2799 reg.2\(2\)\(a\)\(i\)](#)
- [reg.8B\(4\) amended by S.I. 1998/2799 reg.2\(2\)\(a\)\(ii\)](#)
- [regs.99A replaced \(by reg.9\) by S.I. 1999/1047 reg.10](#)
- [reg.9\(1\)\(iii\) amended by S.I. 1998/2799 reg.2\(2\)\(b\)](#)
- [reg.9A\(5\) amended by S.I. 1998/2799 reg.2\(2\)\(c\)](#)
- [reg. 10\(4\)\(c\)\(d\) substituted for reg. 10\(4\)\(c\) by S.I. 1994/227 reg. 2\(2\)](#)
- [reg.10\(4\)\(d\)\(e\) rev. in pt. by S.I. 1998/2799 reg.2\(2\)\(d\)\(vi\)](#)
- [reg. 10\(4\)\(d\)\(e\) substituted for reg. 10\(4\)\(d\) by S.I. 1996/2907 reg. 67\(6\)](#)
- [reg.11\(2A\) added by S.I. 1998/2799 reg.2\(2\)\(e\)](#)
- [reg. 15A\(2\) words added by S.I. 1996/1945 reg. 9](#)
- [regs.17-29 \(Pts. V-VIII\) replaced by S.I. 1999/1047 reg.16](#)
- [regs.18A18B18C18D \(Pt.VA\) added by S.I. 1998/2799 reg.2\(3\)](#)
- [regs.31-31C revoked by S.I. 1999/1047 reg.19](#)
- [reg.31C\(1\) amended by S.I. 1998/2799 reg.2\(4\)\(b\)](#)
- [reg. 31C\(3\) words substituted by S.I. 1996/1945 reg. 11](#)
- [reg.35A amended by S.I. 1999/1047 reg.25](#)
- [reg. 35A words substituted \(amendment to earlier affecting provision SI 1995/3261, reg. 37\) by S.I. 1995/3265 reg. 4](#)
- [reg. 36\(4A\) added by S.I. 1996/1945 reg. 14\(5\)](#)
- [reg. 40A revoked by S.I. 1996/3196 regs. 9](#)