
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.—(1) Where a child support officer makes a new or a fresh maintenance assessment following—

- (a) an application under section 4, 6 or 7 of the Act; or
- (b) a review under section 16, 17, 18 or 19 of the Act,

he shall immediately notify the relevant persons, so far as that is reasonably practicable, of the amount of the child support maintenance under that assessment.

(2) A notification under paragraph (1) shall set out, in relation to the maintenance assessment in question—

- (a) the maintenance requirement;
- (b) the effective date of the assessment;
- (c) the absent parent's assessable income and, where relevant, his protected income level;
- (d) the assessable income of a 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.

(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 of the child support officer concerned) 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.

(4) A notification under paragraph (1) shall include information as to the following provisions—

- (a) where a new maintenance assessment is made following an application under the Act or a fresh maintenance assessment is made following a review under section 16 of the Act, sections 16, 17 and 18 of the Act;

- (b) where a fresh maintenance assessment is made following a review under section 17 of the Act, or following a review under section 19 of the Act where the child support officer conducting such a review is satisfied that if an application were to be made under section 17 of the Act it would be appropriate to make a fresh maintenance assessment, sections 16 and 18 of the Act;
- (c) where a fresh maintenance assessment is made following a review under section 18 of the Act, or following a review under section 19 of the Act where the child support officer conducting such a review is satisfied that if an application were to be made under section 18 of the Act, it would be appropriate to make a fresh maintenance assessment, sections 16, 17 and 20 of the Act.

Notification of a refusal to conduct a review

11.—(1) Where a child support officer refuses an application for a review under section 17 of the Act on the grounds set out in section 17(3) of the Act, or an application for a review under section 18 of the Act on the grounds set out in section 18(6) of the Act, he shall immediately notify the applicant, so far as that is reasonably practicable, and shall give the reasons for his refusal in writing.

- (2) A notification under paragraph (1) shall include information as to the following provisions—
 - (a) where the refusal is on the grounds set out in section 17(3) of the Act, sections 16 and 18 of the Act and regulations 24(1) and 31(7);
 - (b) where the refusal is on the grounds set out in section 18(6) of the Act, sections 16, 17 and 20 of the Act.

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

12.—(1) Where a child support officer refuses an application for a maintenance assessment under the Act, or refuses to make a fresh assessment following a review under section 17 or 18 of the Act, he shall immediately notify the following persons, so far as that is reasonably practicable—

- (a) where an application for a maintenance assessment under section 4 or 6 of the Act is refused, the applicant;
- (b) where an application for a maintenance assessment under section 7 of the Act is refused, the applicant child and the other relevant persons who have been notified of the application;
- (c) where there is a refusal to make a fresh assessment following a review under section 17 or 18 of the Act, the relevant persons,

and shall give the reasons for his refusal in writing.

- (2) A notification under paragraph (1) shall include information as to the following provisions—
 - (a) where an application for a maintenance assessment under the Act is refused, section 18 of the Act and regulation 24(1);
 - (b) where there is a refusal to make a fresh assessment following a review under section 17 of the Act, sections 16 and 18 of the Act and regulation 24(1);
 - (c) where there is a refusal to make a fresh assessment following a review under section 18 of the Act, sections 16, 17 and 20 of the Act.

Notification of a refusal to cancel a maintenance assessment

13.—(1) Where a child support officer refuses a request under paragraph 16 of Schedule 1 to the Act for a maintenance assessment to be cancelled, or refuses to cancel a maintenance assessment

following a review under section 18 of the Act, he shall immediately notify the following persons, so far as that is reasonably practicable—

- (a) where a request for a cancellation under paragraph 16 of Schedule 1 to the Act is refused, the applicant, or, as the case may be, the applicants;
- (b) where the cancellation of a maintenance assessment following a review under section 18 of the Act is refused, the relevant persons,

and shall give the reasons for his refusal in writing.

(2) A notification under paragraph (1) shall include information as to the following provisions—

- (a) where a request for a cancellation under paragraph 16 of Schedule 1 to the Act is refused, sections 16 and 18 of the Act and regulation 24(1);
- (b) where the cancellation of a maintenance assessment following a review under section 18 of the Act is refused, sections 16, 17 and 20 of the Act.

Notification of a cancellation of a maintenance assessment

14.—(1) Where a child support officer cancels a maintenance assessment, he shall immediately notify the relevant persons, so far as that is reasonably practicable, and shall give the reasons for the cancellation in writing.

(2) A notification under paragraph (1) shall include information as to the provisions of section 18 of the Act and regulations 24(1) and 31(8).

Notification of a refusal to reinstate a cancelled maintenance assessment

15.—(1) Where a child support officer, following a review under section 18(3) of the Act, refuses to reinstate a maintenance assessment that has been cancelled, he shall immediately notify the relevant persons, so far as that is reasonably practicable, and shall give the reasons for his refusal in writing.

(2) A notification under paragraph (1) shall include information as to the provisions of section 20 of the Act.

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 over the age of 12 and the absent parent with respect to whom that maintenance assessment was made; and
- (b) the person with care.