
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for various matters relating to the calculation of child support maintenance under the Child Support Act 1991 ("the Act") and also make provision for special cases under the Act.

Regulation 1 contains interpretation provisions. Regulation 2 contains general provisions regarding calculations under the Act.

Regulation 3 prescribes the amounts which are to be taken into account in the maintenance requirement formula in paragraph 1 of Schedule 1 to the Act. Regulation 4 defines the "basic rate" of child benefit for the purposes of that paragraph.

Regulation 5 prescribes values for the general rule formula in paragraph 2 of Schedule 1 to the Act. Regulation 6 prescribes an amount and a value for the purposes of the additional element formula in paragraph 4 of that Schedule.

Regulation 7 and 8 and Schedules 1 and 2 prescribe the amounts to be taken into account as assessable income for the purposes of paragraph 5 of Schedule 1 to the Act. Regulations 9 and 10 prescribe the exempt income of the absent parent and the parent with care for the purposes of that paragraph.

Regulation 11 prescribes the protected income level of that absent parent for the purposes of paragraph 6 of Schedule 1 to the Act. Regulation 12 provides for the calculation of the disposable income of the absent parent for the purposes of that paragraph.

Regulation 13 prescribes the minimum amount of child support maintenance for the purposes of paragraph 7 of Schedule 1 to the Act.

Regulations 14 to 18 and Schedule 3 make provision for the calculation or estimation of housing costs for the purposes of determining exempt income and protected income.

Regulations 19 to 27 and Schedule 4 prescribe the circumstances in which cases are to be treated as special cases for the purposes of the Act. These include cases where both parents are absent; where more than one application for child support maintenance is made in relation to the same absent parent where care arrangements are shared and for child support maintenance not to be payable in certain circumstances.

Regulation 28 makes provision for the amount payable where the absent parent is in receipt of income support or other prescribed benefit.

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992.