
STATUTORY INSTRUMENTS

1992 No. 1815

**The Child Support (Maintenance Assessments
and Special Cases) Regulations 1992**

PART II

CALCULATION OR ESTIMATION OF CHILD SUPPORT MAINTENANCE

[^{F1} Weekly amount of housing costs

16.—(1) [^{F2}Where housing costs are payable by a parent]—

- (a) on a weekly basis, the amount of such housing costs shall subject to paragraph (2), be the weekly rate payable at the effective date;
- (b) on a monthly basis, the amount of such housing costs shall subject to paragraph (2), be the monthly rate payable at the effective date, multiplied by 12 and divided by 52;
- (c) by way of rent payable to a housing association, as defined in section 1(1) of the Housing Associations Act 1985 which is registered in accordance with section 5 of that Act, or to a local authority, on a free week basis, that is to say the basis that he pays an amount by way of rent for a given number of weeks in a 52 week period, with a lesser number of weeks in which there is no liability to pay (“free weeks”), the amount of such housing costs shall be [^{F3}the amount payable]—
 - (i) in the relevant week if it is not a free week; or
 - (ii) in the last week before the relevant week which is not a free week, if the relevant week is a free week;
- (d) on any other basis, the amount of such housing costs shall, subject to paragraph (2), be the rate payable at the effective date, multiplied by the number of payment periods, or the nearest whole number of payment periods (any fraction of one half being rounded up), falling within a period of 365 days and divided by 52.

(2) Where housing costs consist of payments on a repayment mortgage and the absent parent or parent with care has not provided information or evidence as to the rate of repayment of the capital secured and the interest payable on that mortgage at the effective date and that absent parent or parent with care has provided a statement from the lender, in respect of a period ending not more than 12 months prior to the first day of the relevant week, for the purposes of the calculation of exempt income under regulation 9 and protected income under regulation 11—

- (a) if the amount of capital repaid for the period covered by that statement is shown on it, the rate of repayment of capital owing under that mortgage shall be calculated by reference to that amount; and
- (b) if the amount of capital owing and the interest rate applicable at the end of the period covered by that statement are shown on it, the interest payable on that mortgage shall be calculated by reference to that amount and that interest rate.]

Changes to legislation: There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, Section 16. (See end of Document for details)

Textual Amendments

- F1** Reg. 16 substituted (5.8.1996) by [The Child Support \(Miscellaneous Amendments\) Regulations 1996 \(S.I. 1996/1945\)](#), regs. 1, **22**
- F2** Words in reg. 16(1) substituted (19.1.1998) by [The Child Support \(Miscellaneous Amendments\) Regulations 1997 1998 \(S.I. 1998/58\)](#), regs. 1(2), **51(a)** (with reg. 59)
- F3** Words in reg. 16(1)(c) substituted (19.1.1998) by [The Child Support \(Miscellaneous Amendments\) Regulations 1997 1998 \(S.I. 1998/58\)](#), regs. 1(2), **51(b)** (with reg. 59)

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Maintenance Assessments and Special Cases) Regulations 1992, Section 16.