
STATUTORY INSTRUMENTS

1992 No. 1816

**The Child Support (Arrears, Interest and Adjustment
of Maintenance Assessments) Regulations 1992**

PART III

**ATTRIBUTION OF PAYMENTS AND ADJUSTMENT OF THE
AMOUNT PAYABLE UNDER A MAINTENANCE [F1CALCULATION]**

Textual Amendments

- F1** Words in heading to Part III substituted (see reg. 1(3) of S.I. 2001/162 for effective date) by S.I. 2001/162, reg. 5(4)(a) (with reg. 6)

Attribution of payments

F29.

Textual Amendments

- F2** Reg. 9 revoked (25.1.2010) by S.I. 2009/3151, reg. 1, 14, Sch. (with reg. 15)

Adjustment of the amount payable under a maintenance [F3calculation]

F410.

Textual Amendments

- F3** Word in heading to reg. 10 substituted (3.3.2003) by S.I. (2001/162), reg. 5(4) (with reg. 6)
F4 Reg. 10 revoked (25.1.2010) by S.I. 2009/3151, reg. 1, 14, Sch. (with reg. 15)

[F5Reimbursement of a repayment of overpaid child maintenance

10A.—(1) The Secretary of State may require a relevant person to repay the whole or a part of any payment by way of reimbursement made to an [F6 non-resident parent] under section 41B(2) of the Act where the overpayment referred to in section 41B(1) of the Act arose—

- (a) in respect of the amount payable under a maintenance [F7calculation] calculated in accordance with Part I of Schedule 1 to the Act and where income support[F8, income-related employment and support allowance][F9, state pension credit][F10 or income-based jobseeker's allowance] , F11... was not in payment to that person at any time during the

period in which that overpayment occurred or at the date or dates on which the payment by way of reimbursement was made; or

^{F12}(b)

(2) In a case falling within section 4 or 7 of the Act , where the circumstances set out in section 41B(6) apply, the Secretary of State may retain out of the child support maintenance collected by him in accordance with section 29 of the Act such sums as cover the amount of any payment by way of reimbursement required by him from the relevant person under section 41B(3) of the Act .]

Textual Amendments

F5 Reg. 10A inserted (22.1.1996) by S.I. 1995/3261, reg. 3

F6 Words in reg. 10A(1) substituted (3.3.2003) by (S.I. 2001/162), reg. 5(4)(c) (with reg. 6)

F7 Words in reg. 10A(1)(a) substituted (3.3.2003) by S.I. 2001/162, reg. 5(4)(b) (with reg. 6)

F8 Words in reg. 10A(1)(a) inserted (23.3.2015) by [The Child Support \(Miscellaneous and Consequential Amendments\) Regulations 2015 \(S.I. 2015/338\)](#), regs. 1(2), 4

F9 Word in reg. 10A inserted (6.10.2003) by S.I. 2002/3019, reg. 26(3)

F10 Words in reg. 10A inserted (7.10.1996) by [The Social Security and Child Support \(Jobseeker’s Allowance\) \(Consequential Amendments\) Regulations 1996 \(S.I. 1996/1345\)](#), regs. 1, 3(2)(c)

F11 Words in reg 10A(1)(a) omitted (3.3.2003) by S.I. 2001/162, reg. 5(4)(e) (with reg. 6)

F12 Reg. 10A(1)(b) omitted (3.3.2003) by S.I. 2001/162, reg. 5(4)(e) (with reg. 6)

[^{F13}Repayment of a reimbursement of a voluntary payment

10B. The Secretary of State may require a relevant person to repay the whole or any part of any payment by way of reimbursement made to a non-resident parent under section 41B(2) of the Act where—

- (a) a voluntary payment was made;
- (b) section 41B(1A) applies; and

income support^{F14}, income-related employment and support allowance^{F15}, state pension credit] or income-based jobseeker’s allowance was not in payment to that person at any time during the period in which the voluntary payment was made or at the date or dates on which the payment by way of reimbursement was made.]

Textual Amendments

F13 Reg. 10B inserted (3.3.2003) by S.I. 2001/162, reg. 5(4)(f) (with reg. 6)

F14 Words in reg. 10B inserted (23.3.2015) by [The Child Support \(Miscellaneous and Consequential Amendments\) Regulations 2015 \(S.I. 2015/338\)](#), regs. 1(2), 4

F15 Words in reg. 10B inserted (6.10.2003) by S.I. 2002/3019, reg. 26(3)

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Arrears, Interest and Adjustment of Maintenance Assessments) Regulations 1992, PART III.