

STATUTORY INSTRUMENTS

1992 No. 1989

The Child Support (Collection and Enforcement) Regulations 1992

[^{F1} PART 3A **E+W+S**

Deduction Orders

[^{F1} CHAPTER 2 **E+W+S**

Regular Deduction Orders

Textual Amendments

- F1** Pt. 3A inserted (3.8.2009) by [Child Support Collection and Enforcement \(Deduction Orders\) Amendment Regulations 2009 \(S.I. 2009/1815\)](#), regs. 1(1), 2

Regular deduction orders **E+W+S**

25B.—(1) A regular deduction order must specify—

- (a) the amount of the regular deduction; and
- (b) the dates on which regular deductions (referred to in this Chapter as “deduction dates”) are due to be made.

(2) Where the date on which the regular deduction is due to be made is not a working day, the deduction must be made on the first working day after the date specified in the order.

Maximum deduction rate **E+W+S**

25C.—(1) The deduction rate under a regular deduction order in respect of any deduction period—

- (a) is not to exceed 40% of the liable person’s [^{F2}gross] weekly income ^{F3} ... as calculated—
 - (i) at the date of the current maintenance calculation, or
 - (ii) where a maintenance calculation has been in force and there are arrears of child support maintenance, at the date of the most recent previous maintenance calculation; or
- (b) where a default maintenance decision has been made, is not to exceed £80 per week.

(2) In this Chapter “previous maintenance calculation” means a maintenance calculation which is no longer in force.

Textual Amendments

- F2** Word in reg. 25C(1)(a) substituted (10.12.2012 coming into force in accordance with reg. 1(4)) by [The Child Support \(Meaning of Child and New Calculation Rules\) \(Consequential and Miscellaneous Amendment\) Regulations 2012 \(S.I. 2012/2785\)](#), regs. 1(4), **4(7)**
- F3** Words in reg. 25C(1)(a) omitted (30.9.2013 for specified purposes) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/1517\)](#), regs. 1(3), **4(4)**

Minimum amount **E+W+S**

25D.—(1) A deduction must not be made where the amount standing to the credit of the account specified in the regular deduction order is below the minimum amount on the date a deduction is due to be made.

- (2) The minimum amount (for the purposes of this Chapter) is, where the deduction period is—
- monthly, £40;
 - weekly, £10; or
 - for any other period, £10 for each whole week in that period plus £1 for each additional day in that period,

plus the amount of administrative costs authorised by regulation 25Z(a) (administrative costs).

Notification by the deposit-taker to the ^{F4}Secretary of State **E+W+S**

25E.—(1) A deposit-taker at which a regular deduction order is directed must notify the ^{F5}Secretary of State^{F6} ..., within 7 days—

- of a copy of the order or the order as varied being served; or
 - of notification being received by the deposit-taker that an order has been revived,
- of the matters set out in paragraph (2).

(2) The matters are—

- if the account specified in the order does not exist; and
- where the name of the liable person specified in the order is different to the name in which the account specified in the order is held—
 - whether the account was previously held in the name of the liable person specified in the order, and
 - if so, the new name in which the account is held,
 only where the liable person named in the order is the same person as the person in whose name the account specified in the order is held.

(3) A deposit-taker at which a regular deduction order is directed must notify the ^{F7}Secretary of State within 7 days of notification being received that an order has lapsed or has been discharged—

- if the account specified in the order does not exist; and
- where the name of the liable person specified in the order is different to the name in which the account specified in the order is held—
 - whether the account was previously held in the name of the liable person specified in the order, and
 - if so, the new name in which the account is held,

only where the liable person named in the order is the same person as the person in whose name the account specified in the order is held.

(4) The deposit-taker at which a regular deduction order is directed must notify the [^{F7}Secretary of State] within 7 days starting on the date on which a deduction is due to be made—

- (a) if the account specified in the order has been closed;
- (b) if the amount standing to the credit of the account specified in the order is less than the minimum amount; and
- (c) where the name of the liable person specified in the order is different to the name in which the account specified in the order is held—
 - (i) whether the account was previously held in the name of the liable person specified in the order, and
 - (ii) if so, the new name in which the account is held,

only where the liable person named in the order is the same person as the person in whose name the account specified in the order is held.

(5) The deposit-taker at which a regular deduction order is directed must notify the [^{F8}Secretary of State] within 7 days of receipt of a request made by the [^{F8}Secretary of State] of the details of any other account held by the liable person with that deposit-taker and the details of that account, including—

- (a) the number and sort code of that account; and
- (b) the type of account.

[^{F9}(5A) The deposit-taker at which a regular deduction order is directed must within 7 days of changing the name of an account-holder, beginning with the day on which the deposit-taker changes that name, notify the Secretary of State of the old name of the account-holder and the new name of that account-holder, if the order—

- (a) is made in respect of a joint account; and
- (b) remains in force at any time within that 7 day period.]

(6) The requirements of this regulation apply only in so far as the deposit-taker has the information or can reasonably be expected to acquire it.

Textual Amendments

- F4** Words in reg. 25E(heading) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), [Sch. para. 111\(3\)](#)
- F5** Words in reg. 25E(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), [Sch. para. 111\(3\)](#)
- F6** Words in reg. 25E(1) omitted (20.12.2018) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), [3\(4\)\(a\)](#)
- F7** Words in reg. 25E(3)(4) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), [Sch. para. 111\(3\)](#)
- F8** Words in reg. 25E(5) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), [Sch. para. 111\(3\)](#)

F9 Reg. 25E(5A) inserted (20.12.2018) by The Child Support (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1279), regs. 1(3), **3(4)(b)**

Notification by the [^{F10}Secretary of State] to the deposit-taker **E+W+S**

25F. The [^{F11}Secretary of State] must notify the deposit-taker within 7 days of making a decision that a regular deduction order has—

- (a) been varied by virtue of regulation 25I (variation of a regular deduction order);
- (b) lapsed under regulation 25J (lapse of a regular deduction order);
- (c) been revived under regulation 25K (revival of a regular deduction order); or
- (d) ceased to have effect by virtue of regulation 25L (discharge of a regular deduction order).

Textual Amendments

F10 Words in reg. 25F(heading) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 111(4)**

F11 Words in reg. 25F substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 1(2), **Sch. para. 111(4)**

Review of a regular deduction order **E+W+S**

25G.—[^{F12}(1) The following persons may apply to the Secretary of State for a review of a regular deduction order—

- (a) a deposit-taker at which the order is directed;
- (b) the liable person against whom the order is made; or
- (c) another account-holder (in the case of an order made in respect of a joint account).]
- (2) The circumstances in which an application may be made under paragraph (1) are that—
 - (a) [^{F13}the liable person, the deposit-taker or another account-holder (in the case of an order made in respect of a joint account)] satisfies the [^{F14}Secretary of State] that some or all of the amount standing to the credit of the account specified in the order is not an amount in which the liable person has a beneficial interest;
 - (b) [^{F15}the applicant is the liable person and] there has been a change in the amount of the maintenance calculation in question;
 - (c) any amounts payable under the order have been paid;
 - (d) the maximum deduction rate has been calculated in accordance with regulation 25C(1)(a) (ii) (maximum deduction rate) and there has been a change in the liable persons [^{F16}current] income since the date of the most recent previous maintenance calculation;
 - (e) due to an official error, an incorrect amount has been specified in the order; ^{F17}...
 - (f) the order does not comply with the requirements of section 32A(5) of the Act or regulation 25B(1) or 25C.
 - [for a joint account, another account-holder satisfies the Secretary of State that the amount
 - ^{F18}(g) contributed by the liable person to the account specified in the order—
 - (i) has decreased; or

- (ii) will decrease within a period of 3 months of the date on which the account-holder applied for a review of the order; or
- (h) for a joint account, another account-holder who did not make representations within the period for making representations under regulation 25A1(5), 25IA(3) or 25KA(3) both—
 - (i) satisfies the Secretary of State that that account-holder had reasonable excuse for not making representations within that period; and
 - (ii) applies for a review of the order within 3 months of the expiry of the period for making representations under regulation 25A1(5), 25IA(3) or 25KA(3).]
- (3) Following a review of an order under this regulation—
 - (a) where the [^{F19}Secretary of State] changes the amount to be deducted by the deposit-taker under the order, [^{F19} the Secretary of State] may vary the order; or
 - (b) where the [^{F19}Secretary of State] extinguishes the amount to be deducted by the deposit-taker under the order, [^{F19} the Secretary of State] must discharge the order.
- (4) In paragraph (2)(e) “official error” has the same meaning as in regulation 1(3) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (interpretation).

Textual Amendments

- F12** Reg. 25G(1) substituted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(5)(a)**
- F13** Words in reg. 25G(2)(a) substituted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(5)(b)(i)**
- F14** Words in reg. 25G(2)(a) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(5)(a)**
- F15** Words in reg. 25G(2)(b) inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(5)(b)(ii)**
- F16** Word in reg. 25G(2)(d) substituted (30.9.2013 for specified purposes) by [The Child Support \(Miscellaneous Amendments\) Regulations 2013 \(S.I. 2013/1517\)](#), regs. 1(3), **4(5)**
- F17** Word in reg. 25G(2)(e) omitted (20.12.2018) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(5)(b)(iii)**
- F18** Regs. 25G(2)(g)-(h) inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(5)(b)(iv)**
- F19** Words in reg. 25G(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(5)(b)**

Priority as between orders – regular deduction orders **E+W+S**

25H.—(1) Paragraphs (2) to (5) apply where one or more third party debt orders or garnishee orders provide for deductions to be made from the same account as that specified in a regular deduction order.

- (2) Where—
 - (a) one or more third party debt orders or garnishee orders are served on a deposit-taker before or on the day a payment is due to be made under a regular deduction order; and
 - (b) the regular deduction order was served on the same deposit-taker before those orders,the deposit-taker must make that payment except where the deposit-taker has taken action to comply with the obligations under any third party debt order or garnishee order.

(3) Where a regular deduction order is served after an interim third party debt order or a garnishee order nisi the deposit-taker must take action to comply with any of those orders before making a deduction under the regular deduction order.

(4) Where paragraph (2) or (3) applies, the deposit-taker must take action to comply with any third party debt orders or garnishee orders before making further deductions under the regular deduction order.

(5) Where a decision to revive a regular deduction order takes effect on the same day as or any day after a third party debt order or garnishee order has been served, the deposit-taker must take action to comply with any of those orders before making a deduction under the regular deduction order.

(6) Paragraphs (1) to (5) do not apply to Scotland.

(7) In Scotland, paragraphs (8) to (10) apply where a deposit-taker receives one or more arrestment schedules (“arrestments”) and a regular deduction order which apply to the same account.

(8) Where—

- (a) one or more arrestments are served on a deposit-taker before or on the day a payment is due to be made under a regular deduction order; and
- (b) the regular deduction order was served on the same deposit-taker before any of those arrestments,

the deposit-taker must make that payment except where the deposit-taker has taken action to comply with the obligations under any of the arrestments.

(9) Where paragraph (8) applies, the deposit-taker must take action to comply with any of those arrestments before making further deductions under the regular deduction order.

(10) Where a decision to revive a regular deduction order takes effect on the same day as or any day after any arrestments have been served, the deposit-taker must take action to comply with any of those arrestments before making a deduction under the regular deduction order.

Variation of a regular deduction order E+W+S

25I.—^{F20}(1) Subject to regulation 25IA, the Secretary of State may vary a regular deduction order by changing the amount to be deducted in the circumstances set out in paragraph (2).]

(2) The circumstances are that—

- (a) the ^{F21}Secretary of State] has accepted—
 - (i) that a payment of arrears has been made by the liable person, and
 - (ii) no alternative method of payment of child support maintenance has been arranged;
- (b) a decision has been made under section 11, 12, 16 or 17 of the Act or there has been an appeal against a maintenance calculation;
- (c) the ^{F21}Secretary of State] has reviewed the order under regulation 25G (review of a regular deduction order); ^{F22}...
- (d) there has been an appeal under regulation 25AB(1)(a) or (b) (appeals)]^{F23}; or
- (e) where the order is made in respect of a joint account, the amount contributed to the account by the liable person has changed or the Secretary of State has reason to believe that it will change within 3 months of the date on which the order is made or varied.]

(3) The ^{F24}Secretary of State] may from time to time vary the deduction period [^{F25}or the deduction dates].

(4) Where—

- (a) a regular deduction order has been varied under this regulation; and

(b) a copy of the order as varied has been served on the deposit-taker at which it is directed, that deposit-taker must comply with the order; but the deposit-taker is not to be under any liability for non-compliance before the end of the period of 7 days beginning on the day on which the copy of the order as varied is served on the deposit-taker.

[^{F26}(5) Paragraphs (2) and (4) of this regulation also apply to a regular deduction order made in respect of a joint account.]

Textual Amendments

- F20** Reg. 25I(1) substituted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(6)(a)**
- F21** Words in reg. 25I(1)(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(6)**
- F22** Word in reg. 25I(2)(c) omitted (20.12.2018) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(6)(b)(i)**
- F23** Reg. 25I(2)(e) and word inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(6)(b)(ii)**
- F24** Words in reg. 25I(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(6)**
- F25** Words in reg. 25I(3) inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(6)(c)**
- F26** Reg. 25I(5) inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(6)(d)**

Modifications etc. (not altering text)

- C1** Reg. 25I(2) modified (temp in part until 22.5.2021) (23.5.2016) by [The Child Support \(Deduction Orders and Fees\) \(Amendment and Modification\) Regulations 2016 \(S.I. 2016/439\)](#), reg. 1(1)(2), 2(2)

[^{F27}Variation of a regular deduction order in respect of a joint account **E+W+S**

25IA.—(1) Before varying a regular deduction order made in respect of a joint account—

- (a) to increase the amounts deducted; or
- (b) to vary the deduction dates,

the Secretary of State shall serve on each account-holder a notice containing the information set out in paragraph (2).

(2) The information is—

- (a) that listed in regulation 25A1(2)(b), (c), (e), (g), (h) and (3)(a) or (4)(a) (as appropriate);
- (b) that the Secretary of State is proposing to vary the order in respect of the joint account;
- (c) an explanation as to why the Secretary of State is proposing to vary the order; and
- (d) that the account-holder has an opportunity to make representations about the matters in sub-paragraph (b) and regulation 25A1(2)(e) and (3)(a) or (4)(a) (as appropriate).

(3) The period for making representations to the Secretary of State in respect of the matters referred to in paragraph (2)(b) and regulation 25A1(2)(e) and (3)(a) or (4)(a) (as appropriate) is—

- (a) 14 days, beginning with the day on which the account-holder receives the notice; or

(b) such longer period as the Secretary of State considers reasonable in the circumstances of the case.

(4) The regular deduction order may not be varied before the period for making representations has expired and the Secretary of State has considered any representations in respect of the matters referred to in paragraph (2)(b) and regulation 25A1(2)(e) and (3)(a) or (4)(a) (as appropriate) made to the Secretary of State during that period.]

Textual Amendments

F27 Reg. 25IA inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(7)**

Lapse of a regular deduction order **E+W+S**

25J.—(1) A regular deduction order is to lapse in the circumstances set out in paragraph (2).

(2) The circumstances are where—

- (a) the [^{F28}Secretary of State] has agreed with the liable person an alternative method of payment of the child support maintenance due under the maintenance calculation; ^{F29} ...
- (b) there is an insufficient amount standing to the credit of the account specified in the order to enable a deduction to be made on two consecutive deduction dates, unless the [^{F28}Secretary of State] has decided that the order is to continue for a greater number of deduction dates^{F30}; or
- (c) the Secretary of State—
 - (i) is satisfied that the liable person has ceased making contributions to the account; or
 - (ii) has reason to believe that the liable person will cease making contributions to the account in the next deduction period.]

and the [^{F28}Secretary of State] considers it is reasonable in all the circumstances that the order is to lapse.

(3) A regular deduction order lapses on the day on which the deposit-taker receives notification that the order has lapsed from the [^{F28}Secretary of State].

(4) A regular deduction order which has lapsed under this regulation is to be treated as remaining in force for the purposes of regulations 25E (notification by the deposit-taker to the [^{F31}Secretary of State]), 25G (review of a regular deduction order) and 25AB (appeals).

[^{F32}(5) This regulation applies to a regular deduction order whether or not made in respect of a joint account, except for paragraph (2)(c) which applies to a regular deduction order made in respect of a joint account only.]

Textual Amendments

F28 Words in reg. 25J(2)(3) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(7)**

F29 Word in reg. 25J(2)(a) omitted (20.12.2018) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(8)(a)(i)**

F30 Reg. 25J(2)(c) and word inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(8)(a)(ii)**

- F31** Words in reg. 25J(4) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(7)**
- F32** Reg. 25J(5) inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(8)(b)**

Modifications etc. (not altering text)

- C2** Reg. 25J(2)(a) modified (23.5.2016) by [The Child Support \(Deduction Orders and Fees\) \(Amendment and Modification\) Regulations 2016 \(S.I. 2016/439\)](#), regs. 1(1), **2(3)**

Revival of a regular deduction order **E+W+S**

25K.—(1) Where a regular deduction order has lapsed it may be revived by the [^{F33}Secretary of State] where—

- (a) the liable person has failed to comply with any agreement reached under regulation 25J(2)
 - (a) (lapse of a regular deduction order); ^{F34}...
- (b) the [^{F33}Secretary of State] has reason to believe that following the lapse of an order under regulation 25J(2)(b) there is sufficient amount standing to the credit of the account specified in the order to enable a deduction to be made^{F35}; or
- (c) following the lapse of an order under regulation 25J(2)(c) the liable person has started making contributions to the account again.]

(2) Where the [^{F33}Secretary of State] decides to revive a regular deduction order that decision is to take effect on the day notification that the order has been revived is received by the deposit-taker.

Textual Amendments

- F33** Words in reg. 25K substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(8)**
- F34** Word in reg. 25K(1)(a) omitted (20.12.2018) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(9)(a)**
- F35** Reg. 25K(1)(c) and word inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(9)(b)**

[^{F36}Revival of a regular deduction order proposed in respect of a joint account **E+W+S**

25KA.—(1) Before reviving a regular deduction order made in respect of a joint account, the Secretary of State shall serve on each account-holder a notice containing the information set out in paragraph (2).

(2) The information is—

- (a) that listed in regulation 25A1(2)(b), (c), (e), (g), (h) and (3)(a) or (4)(a) (as appropriate);
- (b) that the Secretary of State is proposing to revive the order in respect of the account;
- (c) an explanation as to why the Secretary of State is proposing to revive the order; and
- (d) that the account-holder has an opportunity to make representations about the matters in sub-paragraph (b) and regulation 25A1(2)(e) and (3)(a) or (4)(a) (as appropriate).

(3) The period for making representations to the Secretary of State in respect of the matters referred to in paragraph (2)(b) and regulation 25A1(2)(e) and (3)(a) or (4)(a) (as appropriate) is—

- (a) 14 days, beginning with the day on which the account-holder receives the notice; or
- (b) such longer period as the Secretary of State considers reasonable in the circumstances of the case.

(4) A regular deduction order may not be revived before the period for making representations has expired and the Secretary of State has considered any representations in respect of the matters referred to in paragraph (2)(b) and regulation 25A1(2)(e) and (3)(a) or (4)(a) (as appropriate) made to the Secretary of State during that period.]

Textual Amendments

F36 Reg. 25KA inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(10)**

Discharge of a regular deduction order **E+W+S**

25L.—(1) A regular deduction order must be discharged by the [^{F37}Secretary of State] where—

- (a) the account specified in the order has been closed;
- (b) the maintenance calculation in question is no longer in force and the amount of child support maintenance due under that calculation has been paid in full in accordance with regulation 2 (payment of child support maintenance);
- (c) the liable person has complied with any agreement reached under regulation 25J(2)(a) for such period as the [^{F37}Secretary of State] considers appropriate in the circumstances of the case;
- (d) the [^{F37}Secretary of State] has reviewed the order under regulation 25G and [^{F37}the Secretary of State] has extinguished the amount to be deducted by the deposit-taker under the order;
- (e) on an appeal under regulation 25AB(1)(a) (appeals) the court has set aside the order;
- [^{F38}(f) unless sub-paragraph (g) applies, a regular deduction order has lapsed under regulation 25J(2) and—
 - (i) 6 months have passed beginning with the day the lapse took effect; or
 - (ii) 6 months have passed beginning with the day the lapse took effect and during this period of time the Secretary of State has not served any notice under regulation 25KA.]
- (g) an appeal is brought by virtue of regulation 25AB(1)(a) or (b), against a regular deduction order which has lapsed under regulation 25J(2) and 1 month has passed beginning on—
 - (i) the day proceedings on the appeal (including any further appeal) concluded, or
 - (ii) the end of any period during which a further appeal may ordinarily be brought, whichever is the later; ^{F39}...
- (h) the liable person has died [^{F40}; or
- (i) the liable person is no longer an account-holder in relation to the account.]

(2) A regular deduction order may be discharged where the [^{F41}Secretary of State] considers it is appropriate to do so in the circumstances of the case.

(3) Where a regular deduction order is discharged that discharge takes effect immediately after the payment of the last regular deduction prior to discharge.]

Textual Amendments

- F37** Words in reg. 25L(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(9)(a)**
- F38** Reg. 25L(1)(f) substituted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(1)(a)**
- F39** Word in reg. 25L(1)(g) omitted (20.12.2018) by virtue of [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(1)(b)**
- F40** Reg. 25L(1)(i) and word inserted (20.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(3), **3(1)(c)**
- F41** Words in reg. 25L(2) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 111(9)(b)**

Modifications etc. (not altering text)

- C3** Reg. 25L(1)(b) modified (23.5.2016) by [The Child Support \(Deduction Orders and Fees\) \(Amendment and Modification\) Regulations 2016 \(S.I. 2016/439\)](#), regs. 1(1), **2(4)**

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Collection and Enforcement) Regulations 1992, CHAPTER 2.