

---

STATUTORY INSTRUMENTS

---

**1992 No. 1989**

**The Child Support (Collection and Enforcement) Regulations 1992**

[<sup>F1</sup> PART 3A

Deduction Orders

CHAPTER 2

Regular Deduction Orders

[<sup>F1</sup> **Review of a regular deduction order**

**25G.**—[<sup>F2</sup>(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) [<sup>F3</sup>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 [<sup>F4</sup>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) [<sup>F5</sup>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 [<sup>F6</sup>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; <sup>F7</sup>...
  - (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
- <sup>F8</sup>(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 [<sup>F9</sup>Secretary of State] changes the amount to be deducted by the deposit-taker under the order, [<sup>F9</sup> the Secretary of State ] may vary the order; or
  - (b) where the [<sup>F9</sup>Secretary of State] extinguishes the amount to be deducted by the deposit-taker under the order, [<sup>F9</sup> 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

- 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**
- F2** [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)**
- F3** 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)**
- F4** 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)**
- F5** 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)**
- F6** 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)**
- F7** 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)**
- F8** [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)**
- F9** 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)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Support (Collection and Enforcement) Regulations 1992, Section 25G.