

## SCHEDULE

### PART II

#### MODIFICATION OF MAINTENANCE ASSESSMENT IN CERTAIN CASES

7.—(1) Subject to sub-paragraph (2), the provisions of this Part of this Schedule apply to cases where—

- (a) on 4th April 1993 there is in force, in respect of all the qualifying children in respect of whom an application for a maintenance assessment is made under the Act and the absent parent concerned, one or more—
  - (i) maintenance orders;
  - (ii) orders under section 151 of the Army Act 1955<sup>(1)</sup> (deductions from pay for maintenance of wife or child) or section 151 of the Air Force Act 1955<sup>(2)</sup> (deductions from pay for maintenance of wife or child) or arrangements corresponding to such an order and made under Article 1(b) or 3 of the Naval and Marine Pay and Pensions (Deductions for Maintenance) Order 1959<sup>(3)</sup>; or
  - (iii) maintenance agreements (being agreements which are made or evidenced in writing); and
- (b) the absent parent is responsible for maintaining a child or children residing with him other than the child or children in respect of whom the application is made; and
- (c) the formula amount is not more than £60; and
- (d) the formula amount exceeds the aggregate weekly amount which was payable under the orders, agreements or arrangements mentioned in sub-paragraph (a) above by more than £20 a week.

(2) Nothing in this Part of this Schedule applies to an interim maintenance assessment made under section 12 of the Act.

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(1) 3 & 4 Eliz 2 c. 18.

(2) 3 & 4 Eliz 2 c. 19.

(3) This Order in Council is not a statutory instrument but copies may be obtained from the Ministry of Defence, Naval Pay (Pensions and Conditions of Service) Branch, Old Admiralty Building, Spring Gardens, London, SW1A 2BE.