
STATUTORY INSTRUMENTS

1995 No. 3261

**The Child Support (Miscellaneous
Amendments) (No. 2) Regulations 1995**

Amendment of regulation 1 of the Maintenance Assessments and Special Cases Regulations

40.—(1) Regulation 1 of the Maintenance Assessments and Special Cases Regulations (citation, commencement and interpretation) shall be amended in accordance with the following provisions of this regulation.

(2) In paragraph (2)—

(a) for sub-paragraph (ii) in the definition of “day to day care” there shall be substituted the following sub-paragraphs—

“(ii) in relation to an application for child support maintenance, “relevant week” shall have the meaning ascribed to it in head (ii) of sub-paragraph (a) of the definition of “relevant week” in this paragraph;

(iii) in relation to a review of a maintenance assessment under section 16 of the Act “relevant week” means the period of 7 days immediately preceding whichever is the later of the date on which a request is made to an absent parent or to a person with care for information or evidence under regulation 17(5) of the Maintenance Assessment Procedure Regulations; or

(iv) in relation to a review under section 17, 18(1)(a), (1)(b), (2) or (6A) or 19 (1) (a) to (c) or (6) of the Act, “relevant week” shall have the meaning ascribed to it in sub-paragraph (a), (c), (d), (e) or (f), as the case may be, of the definition of “relevant week” in this paragraph.”;

(b) in sub-paragraph (a) in the definition of “relevant week”, after the words “in relation to an application for child support maintenance” there shall be inserted the words “or a review under section 18(1)(a) or 19(1)(a) of the Act”;

(c) for sub-paragraph (b) in the definition of “relevant week”, there shall be substituted the following sub-paragraphs—

“(b) in relation to a review of an assessment under section 16 of the Act, the period of 7 days immediately preceding the date on which a request for information or evidence under regulation 17(5) of the Maintenance Assessment Procedure Regulations is made;

(c) in relation to a review under section 17 of the Act, the period of 7 days immediately preceding the date on which the application for review is received by the Secretary of State;

(d) in relation to a review under section 18(1)(b) or 19(1)(b) of the Act, the period of 7 days immediately preceding the date on which application for the review under section 17 of the Act was received by the Secretary of State;

(e) in relation to a review under section 18(2), (6A) or 19(1)(c) of the Act, the relevant week which was applicable for the purposes of the making of the maintenance assessment which is being reviewed; or

(f) in relation to a review under section 19(6) of the Act, the period of 7 days immediately preceding the date on which, in the circumstances referred to in that sub-section, the child support officer first suspected that it would be appropriate to make one or more fresh assessments.”.

(3) In paragraph (2A), after the word “week” in head (ii) of sub-paragraph (e) there shall be inserted the words “but no deduction shall be made in respect of the portion (if any) of the bonus or commission which, if added to estimated income, would cause such income to exceed the upper earnings limit for Class 1 contributions as provided for in section 5(1)(b) of the Contributions and Benefits Act”.