

---

STATUTORY INSTRUMENTS

---

**1996 No. 3195**

**The Social Security (Child  
Maintenance Bonus) Regulations 1996**

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Social Security (Child Maintenance Bonus) Regulations 1996 and shall come into force on 7th April 1997.

(2) In these Regulations—

“the Act” means the Child Support Act 1995;

“applicant”, except where regulation 8 (retirement) applies, means the person claiming the bonus;

“appropriate office” means an office of the [<sup>F1</sup>Department for Work and Pensions;]

“benefit week”—

(a) <sup>M1</sup>where the relevant benefit is income support, has the meaning it has in the Income Support (General) Regulations 1987 by virtue of regulation 2(1) of those Regulations; or

(b) <sup>M2</sup>where the relevant benefit is a jobseeker’s allowance, has the meaning it has in the Jobseeker’s Allowance Regulations 1996 by virtue of regulation 1(3) of those Regulations;

“bonus” means a child maintenance bonus;

“bonus period” comprises the days specified in regulation 4;

[<sup>F2</sup>“child maintenance” means maintenance in any of the following forms—

(a) child support maintenance paid or payable;

(b) maintenance paid or payable by an absent parent to a person with care of a qualifying child, under an agreement (whether enforceable or not) between them, or by virtue of an order of a court; or

(c) maintenance deducted from any benefit payable to an absent parent who is liable to maintain a qualifying child,

which, as the case may be, is paid, payable or deducted on or after 1st April 1998, but does not include any maintenance paid or payable in respect of a former partner.]

[<sup>F3</sup>[<sup>F4</sup>“couple” means—

(a) two people who are married to, or civil partners of, each other and are members of the same household; or

(b) two people who are not married to, or civil partners of, each other but are living together [<sup>F5</sup>as if they were a married couple or civil partners];]]

“income-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act by virtue of section 1(4) of that Act;

<sup>M3</sup>“the Jobseekers Act” means the Jobseekers Act 1995 ;

“jobseeker’s allowance” means an income-based Jobseeker’s allowance;

“partner” means where a person, whether an applicant or otherwise,—

- (a) is a member of [<sup>F6</sup>a couple], the other member of that couple;
- (b) is married polygamously to two or more members of his household, any such member; or
- (c) is a member of a marriage to which section 133(1)(b) of the Social Security Contributions and Benefits Act 1992 (polygamous marriages) refers and the other party to the marriage has one or more additional spouses, the other party;

“work condition” means the condition specified at regulation 3(1)(c).

(3) Expressions used in these Regulations and in the Child Support Act 1991 have the same meaning in these Regulations as they have in that Act

(4) For the purposes of these Regulations, the qualifying benefits are a jobseeker’s allowance and income support.

(5) In these Regulations, where—

- (a) a payment is made in any benefit week by an absent parent to a person with care;
- (b) the absent parent pays both child maintenance and maintenance for the person with care; and
- (c) there is no evidence as to which form of maintenance that payment is intended to represent, the first £5 of any such payment or, where the amount of payment is less than £5, that amount shall be treated as if it was a payment of child maintenance.

(6) For the purposes of these Regulations, child maintenance is treated as payable where it is paid under an agreement which is not enforceable

(7) Where a person is entitled to a qualifying benefit on any day but no qualifying benefit is payable to her in respect of that day, that person shall be treated for the purposes of these Regulations [<sup>F7</sup>other than regulation 4 (bonus period)] as not entitled to a qualifying benefit for that day

(8) In these Regulations, unless the context otherwise requires, a reference—

- (a) to a numbered section is to the section of the Act bearing that number;
- (b) to a numbered regulation is to the regulation in these Regulations bearing that number;
- (c) in a regulation to a numbered paragraph is to the paragraph in that regulation bearing that number;
- (d) in a paragraph to a lettered or numbered sub-paragraph is to the sub-paragraph in that paragraph bearing that letter or number.

#### Textual Amendments

- F1** Words in Reg. 1(2) substituted (27.6.2002) by [The Secretaries of State for Education and Skills and for Work and Pensions Order 2002 \(S.I. 2002/1397\)](#), art. 1(2), **Sch. para. 29**
- F2** Words in reg. 1(2) substituted (1.1.1998 coming into force in accordance with reg. 1(2)(3)(4)(5)(6)) by [The Social Security \(Miscellaneous Amendments\) Regulations 1998 \(S.I. 1998/563\)](#), regs. 1, **2(2)**
- F3** Words in reg. 1(2) substituted (E.W.) (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential Provisions\) Order 2014 \(S.I. 2014/107\)](#), art. 1(2), **Sch. 1 para. 22**
- F4** Words in reg. 1(2) substituted (S.) (16.12.2014) by [The Marriage and Civil Partnership \(Scotland\) Act 2014 and Civil Partnership Act 2004 \(Consequential Provisions and Modifications\) Order 2014 \(S.I. 2014/3229\)](#), art. 1(2), **Sch. 6 para. 15**
- F5** Words in reg. 1(2) substituted (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), reg. 1(2), **Sch. 3 para. 51**

- F6** Words in reg. 1(2) substituted (5.12.2005) by The Civil Partnership (Pensions, Social Security and Child Support) (Consequential, etc. Provisions) Order 2005 (S.I. 2005/2877), art. 1, **Sch. 3 para. 28(2)(b)** (with art. 3)
- F7** Words in reg. 1(7) inserted (6.4.1997) by The Social Security (Miscellaneous Amendments) Regulations 1997 (S.I. 1997/454), regs. 1(b), **8(2)(b)**

---

**Modifications etc. (not altering text)**

- C1** Reg. 1 applied (3.3.2003 for specified purposes) by The Social Security (Child Maintenance Premium and Miscellaneous Amendments) Amendment Regulations 2003 (S.I. 2003/231), regs. 1, **2**

---

**Marginal Citations**

- M1** S.I. 1987/1967.
- M2** S.I. 1996/207.
- M3** 1995 c.18.

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Child Maintenance Bonus) Regulations 1996, Section 1.