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STATUTORY INSTRUMENTS

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**1999 No. 1510**

**The Social Security Act 1998 (Commencement No. 7 and  
Consequential and Transitional Provisions) Order 1999**

**PART VI**

**AMENDMENT OF THE CHILD SUPPORT (COLLECTION  
AND ENFORCEMENT) REGULATIONS 1992**

**Amendment of regulation 11**

**29.** In regulation 11(1) (protected earnings rate), for paragraph (4) there shall be substituted the following paragraph—

“(4) Where there is a liability to make payments of child support maintenance but no maintenance assessment is in force—

- (a) in a case where the last maintenance assessment was a Category A or Category C interim maintenance assessment, the protected earnings rate shall be the amount which would be produced by the application of the provisions of paragraph (3) if a Category A or Category C interim maintenance assessment were in force;
- (b) subject to sub-paragraph (a), in a case where the absent parent provides sufficient evidence to satisfy the Secretary of State that his circumstances have changed since the last occasion on which his exempt income was calculated for the purposes of a decision under the Act, the protected earnings rate shall be the exempt amount as it would be calculated in consequence of that change of circumstances if regulation 9 of the Child Support (Maintenance Assessments and Special Cases) Regulations 1992(2) applied in his case; and
- (c) in any other case, the protected earnings rate shall be the amount of the liable person’s exempt income as it was on the last occasion that amount was calculated for the purposes of a decision under the Act.”.

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(1) Paragraph (4) of regulation 11 was added by S.I. 1995/1045 and amended by S.I. 1998/2799.

(2) S.I. 1992/1815; regulation 9 was amended by S.I. 1993/913, 1995/1045, 1995/3261, 1996/1803, 1996/1945, 1996/2907 and 1998/58.