

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made pursuant to section 28J of the Child Support Act 1991 (c. 48) (“the Act”) as inserted by the Child Support, Pensions and Social Security Act 2000 (c. 19) (“the 2000 Act”). Section 28J of the Act provides for the Secretary of State to offset against child support maintenance arrears, or to adjust a maintenance calculation to take account of, voluntary payments.

Regulation 1 contains provisions relating to citation, commencement and interpretation. These Regulations come into force according to the date on which section 28J of the 2000 Act is commenced.

Regulation 2 defines a “voluntary payment” by reference to regulations 3 and 4 and provides that, to be a voluntary payment, a payment must be made on or after the effective date of the maintenance calculation, which is governed by the Child Support (Maintenance Calculation Procedure) Regulations 2000/ .

Regulation 3 defines the types of payments which may count as voluntary payments and regulation 4 defines the evidence or verification of such payments which the Secretary of State may require to be provided.

The impact on business of these Regulations was covered in the Regulatory Impact Assessment (RIA) for the 2000 Act, in accordance with which, and in consequence of which, these Regulations are made. A copy of that RIA has been placed in the libraries of both Houses of Parliament and can be obtained from the Department of Social Security, Regulatory Impact Unit, Adelphi, 1-11 John Adam Street, London, WC2N 6HT.

Changes to legislation:

There are currently no known outstanding effects for the The Child Support (Voluntary Payments) Regulations 2000.