EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for various matters relating to the calculation of child support maintenance under the Child Support Act 1991 ("the Act") and also make provision for special cases under the Act, consequent upon the introduction of changes to the child support system made by the Child Support, Pensions and Social Security Act 2000 (c. 48). Subject to savings for transitional purposes, these Regulations revoke the Child Support (Maintenance Assessments and Special Cases) Regulations 1992 (S.I. 1992/1815). Apart from paragraphs (1) and (2) of regulation 4, which come into force on 31st January 2001, these Regulations come into force at different times for different cases according to the dates on which provisions of the Child Support, Pensions and Social Security Act 2000 which are relevant to these Regulations are commenced for different types of cases.

Regulation 1 contains provisions relating to citation, commencement and interpretation.

Regulation 2 contains general provisions regarding the calculation of child support maintenance under the Act. The Schedule to these Regulations prescribes the amounts to be taken into account to calculate net weekly income for the purposes of Schedule 1 to the Act.

Regulation 3 prescribes the method of calculating the reduced rate of child support maintenance and regulation 4 prescribes the benefits, pensions and allowances for the purposes of paragraph 4(1) of Schedule 1 to the Act (flat rate cases).

Regulation 5 prescribes the circumstances for which the rate payable is nil.

Regulation 6 provides a general rule for adjusting the child support maintenance payable following apportionment and regulation 7 prescribes the circumstances in which a night will count for the purposes of paragraphs 7 and 8 of Part I of Schedule 1 to the Act (shared care).

Regulations 8 to 14 prescribe the circumstances in which cases are to be treated as special cases for the purposes of the Act. These include cases where persons are treated as non-resident parents; where care of a qualifying child or a relevant other child is provided in part by a local authority; where the non-resident parent is liable to pay maintenance under a maintenance order; where a child is a boarder or an in-patient in hospital; where a child is allowed to live with his parent under section 23(5) of the Children Act 1989 and where a person with part-time care of the child is not a non-resident parent.

Regulation 15 revokes the Child Support (Maintenance Assessments and Special Cases) Regulations 1992, with savings for transitional purposes.

The impact on business of these Regulations was covered in the Regulatory Impact Assessment (RIA) for the Child Support, Pensions, and Social Security Act 2000, 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 outstanding changes not yet made by the legislation.gov.uk editorial team to The Child Support (Maintenance Calculations and Special Cases) Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to :

- Sch. para. 6(2) omitted by S.I. 2003/328 reg. 8(4)(b)
- Sch. para. 9(4) omitted by S.I. 2003/328 reg. 8(4)(b)
- Sch. para. 11(3) omitted by S.I. 2003/328 reg. 8(4)(c)(v)
- Sch. para. 13 omitted by S.I. 2003/328 reg. 8(4)(d)
- Sch. para. 4(2)(g)(ii) revoked by S.I. 2005/2060 Sch. para. 15(a)
- Sch. para. 13 substituted by S.I. 2002/1204 reg. 7(3)
- Sch. para. 7(5)(a) word substituted by S.I. 2015/478 reg. 32(a)
- Sch. para. 7(5)(a) word substituted by S.I. 2015/478 reg. 32(b)
- Sch. para. 5(2) words inserted by S.I. 2012/712 reg. 6(4)
- Sch. para. 11(1) words omitted by S.I. 2003/328 reg. 8(4)(c)(ii)(bb)
- Sch. para. 11(2)(a) words omitted by S.I. 2003/328 reg. 8(4)(c)(iii)(cc)
- Sch. para. 6(3) words omitted by S.I. 2008/2544 reg. 6
- Sch. para. 8(1) words substituted by S.I. 2002/1204 reg. 7(2)
- Sch. para. 6(1) words substituted by S.I. 2003/328 reg. 8(4)(a)
- Sch. para. 11 words substituted by S.I. 2003/328 reg. 8(4)(c)(i)
- Sch. para. 11(1) words substituted by S.I. 2003/328 reg. 8(4)(c)(ii)(aa)
- Sch. para. 11(2) words substituted by S.I. 2003/328 reg. 8(4)(c)(iii)(aa)
- Sch. para. 11(2) words substituted by S.I. 2003/328 reg. 8(4)(c)(iii)(bb)
- Sch. para. 7(4)(a) words substituted by S.I. 2005/785 reg. 6(5)
- Regulations applied (with modifications) by S.I. 2010/1907 reg. 16(2)(e)(iii)(3)
- Regulations revoked by S.I. 2012/2785 reg. 10(e)
- reg. 1(2) word omitted by S.I. 2012/712 reg. 6(2)(a)
- reg. 1(2) words added by S.I. 2003/2779 reg. 6(2)(e)
- reg. 1(2) words inserted by S.I. 2002/3019 reg. 27(2)
- reg. 1(2) words inserted by S.I. 2003/2779 reg. 6(2)(c)
- reg. 1(2) words inserted by S.I. 2003/2779 reg. 6(2)(d)
- reg. 1(2) words inserted by S.I. 2003/2779 reg. 6(2)(g)
- reg. 1(2) words inserted by S.I. 2003/328 reg. 8(2)(a)
- reg. 1(2) words inserted by S.I. 2005/2877 Sch. 4 para. 7(2)(b)
- reg. 1(2) words inserted by S.I. 2008/1554 reg. 61(2)
- reg. 1(2) words inserted by S.I. 2012/712 reg. 6(2)(b)
- reg. 1(2) words inserted by S.I. 2013/630 reg. 43(2)(a)
- reg. 1(2) words inserted by S.I. 2013/630 reg. 43(2)(b)
- reg. 1(2) words inserted by S.I. 2018/228 reg. 7(2)(a)
- reg. 1(2) words inserted by S.I. 2018/228 reg. 7(2)(b)
- reg. 1(2) words omitted by S.I. 2003/2779 reg. 6(2)(b)
- reg. 1(2) words omitted by S.I. 2003/328 reg. 8(2)(b)
- reg. 1(2) words substituted by S.S.I. 2005/445 art. 2Sch. para. 30
- reg. 1(2) words substituted by S.I. 2003/2779 reg. 6(2)(a)
- reg. 1(2) words substituted by S.I. 2003/2779 reg. 6(2)(f)
- reg. 1(2) words substituted by S.I. 2003/328 reg. 8(2)(c)
- reg. 1(2) words substituted by S.I. 2005/2078 Sch. 2 para. 21
- reg. 1(2) words substituted by S.I. 2005/2877 Sch. 4 para. 7(2)(a)
- reg. 1(2) words substituted by S.I. 2010/1881 art. 11
- reg. 1(2) words substituted by S.I. 2011/2581 Sch. 2 para. 30(a)
- reg. 1(2) words substituted by S.I. 2011/2581 Sch. 2 para. 30(b)
- reg. 1(2) words substituted by S.I. 2012/712 reg. 6(3)
- reg. 1(2) words substituted by S.I. 2014/107 Sch. 1 para. 29
- reg. 1(2) words substituted by S.I. 2014/3229 Sch. 6 para. 20
- reg. 1(3) substituted by S.I. 2013/1517 reg. 6(2)

- reg. 4 words substituted by S.I. 2002/2497 Sch. 2 para. 12
- reg. 4(1)(a)(i) omitted by S.I. 2017/422 art. 17
- reg. 4(1)(a)(vii) words inserted by S.I. 2014/884 reg. 3(2)
- reg. 4(1)(d) word omitted by S.I. 2005/785 reg. 6(2)(a)
- reg. 4(1)(e) word omitted by S.I. 2005/785 reg. 6(2)(a)
- reg. 4(1)(e) words omitted by S.I. 2003/2779 reg. 6(3)(a)
- reg. 4(2) word omitted by S.I. 2013/630 reg. 43(3)(a)
- reg. 5(d) word omitted by S.I. 2013/630 reg. 43(4)
- reg. 5(d) words substituted by S.I. 2008/1554 reg. 61(4)
- reg. 5(f) words substituted by S.I. 2003/2779 reg. 6(4)
- reg. 5(h) word omitted by S.I. 2005/785 reg. 6(3)(b)
- reg. 5(i) omitted by S.I. 2004/2415 reg. 7(2)
- reg. 8(1)(a) words omitted by S.I. 2008/2543 reg. 7(3)
- reg. 8(1)(a) words substituted by S.I. 2003/328 reg. 8(3)
- reg. 9(11) words inserted by S.I. 2017/901 art. 7(2)
- reg. 11(1) words substituted by S.I. 2005/785 reg. 6(4)
- reg. 11(1)(a) words omitted by S.I. 2008/2543 reg. 7(4)
- reg. 11(3) words inserted by S.I. 2003/2779 reg. 6(5)(a)
- reg. 13 title words substituted by S.I. 2014/1386 reg. 5(a) (This S.I. is amended by S.I. 2014/1621, art. 3 and any provision that came into force at its making is revoked and any legislation varied by such a provision is restored as if the variation had not been made.)
- reg. 13(1) words inserted by S.I. 2014/1386 reg. 5(b) (This S.I. is amended by S.I. 2014/1621, art. 3 and any provision that came into force at its making is revoked and any legislation varied by such a provision is restored as if the variation had not been made.)
- reg. 13(1) words inserted by S.I. 2017/901 art. 7(3)
- reg. 13(1) words omitted by S.I. 2017/901 art. 23
- reg. 13(2) words substituted by S.I. 2014/1386 reg. 5(c) (This S.I. is amended by S.I. 2014/1621, art. 3 and any provision that came into force at its making is revoked and any legislation varied by such a provision is restored as if the variation had not been made.)
- reg. 15(1) words inserted by S.I. 2003/347 reg. 2(1)reg. 2(2)(c)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 13A added by S.I. 2003/328 reg. 8(4)(e)
- Sch. para. 17 added by S.I. 2004/2415 reg. 7(4)
- Sch. para. 4(1)(dd) comma substituted for word by S.I. 2014/3255 art. 9(a)
- Sch. para. 11(2A) inserted by S.I. 2003/328 reg. 8(4)(c)(iv)
- Sch. para. 4(1)(dd) inserted by S.I. 2004/2415 reg. 7(3)
- Sch. para. 4(2)(g)(iia) inserted by S.I. 2004/3168 art. 54
- Sch. para. 4(2)(g)(iib) inserted by S.I. 2005/2060 Sch. para. 15(b)
- Sch. para. 5(3)(4) inserted by S.I. 2012/712 reg. 6(5)
- Sch. para. 6A inserted by S.I. 2012/712 reg. 6(6)
- Sch. para. 9A inserted by S.I. 2012/712 reg. 6(7)
- Sch. para. 4(2)(g)(iia) inserted by S.I. 2005/2929 art. 54
- Sch. para. 4(1)(dd) words inserted by S.I. 2014/3255 art. 9(b)
- Sch. para. 6A(1)(2) words substituted by S.I. 2012/2007 Sch. para. 114(2)
- Sch. para. 9A(1)(2) words substituted by S.I. 2012/2007 Sch. para. 114(3)
- Sch. para. 4(2)(g)(iib) words substituted by S.I. 2013/602 Sch. 2 para. 80
- reg. 1(2)(a)(ii) words omitted by S.I. 2008/2543 reg. 7(2)
- reg. 4(g) and word added by S.I. 2005/785 reg. 6(2)(b)
- reg. 4(1)(f) and word added by S.I. 2003/2779 reg. 6(3)(b)

- reg. 4(1)(f) substituted by S.I. 2005/2877 Sch. 4 para. 7(3)
- reg. 4(1)(f) word omitted by S.I. 2008/1554 reg. 61(3)(a)(i)
- reg. 4(1)(g) word omitted by S.I. 2015/1985 art. 19(a)
- reg. 4(1)(h) and word added by S.I. 2008/1554 reg. 61(3)(a)(ii)
- reg. 4(1)(i) and word inserted by S.I. 2015/1985 art. 19(b)
- reg. 4(2)(c) and word added by S.I. 2002/3019 reg. 27(3)
- reg. 4(2)(d) and word added by S.I. 2008/1554 reg. 61(3)(b)
- reg. 4(2)(e) and word inserted by S.I. 2013/630 reg. 43(3)(a)
- reg. 4(4) inserted by S.I. 2013/630 reg. 43(3)(b)
- reg. 5(d)(iii)(iv) and semi-colon inserted by S.I. 2013/630 reg. 43(4)
- reg. 5(gg) inserted by S.I. 2002/3019 reg. 27(4)
- reg. 5(gg) word inserted by S.I. 2005/785 reg. 6(3)(a)
- reg. 8(3)(a) words in reg. 8(3) renumbered as reg, 8(3)(a) by S.I. 2013/1517 reg. 6(3)
- reg. 8(3)(b) inserted by S.I. 2013/1517 reg. 6(3)
- reg. 11(5) added by S.I. 2003/2779 reg. 6(5)(b)