
STATUTORY INSTRUMENTS

2001 No. 155

**The Child Support (Maintenance Calculations
and Special Cases) Regulations 2000**

PART II

CALCULATION OF CHILD SUPPORT MAINTENANCE

Nil rate

5. The rate payable is nil where the non-resident parent is—
- (a) a student;
 - (b) a child within the meaning given in section 55(1) of the Act;
 - (c) a prisoner;
 - (d) a person who is 16 or 17 years old and—
 - (i) in receipt of income support or income-based jobseeker's allowance; or
 - (ii) a member of a couple whose partner is in receipt of income support or income-based jobseeker's allowance;
 - (e) a person receiving an allowance in respect of work-based training for young people, or in Scotland, Skillseekers training;
 - (f) a person in a residential care home or nursing home who—
 - (i) is in receipt of a pension, benefit or allowance specified in regulation 4(1) or (2); or
 - (ii) has the whole or part of the cost of his accommodation met by a local authority;
 - (g) a patient in hospital who is in receipt of income support whose applicable amount includes an amount under paragraph 1(a) or (b) of Schedule 7 to the Income Support Regulations (patient for more than 6 weeks);
 - (h) a person in receipt of a benefit specified in regulation 4(1) the amount of which has been reduced in accordance with the provisions of regulations 4(d) and 6 of the Social Security Hospital In-Patients Regulations 1975 (circumstances in which personal benefit is to be adjusted and adjustment of personal benefit after 52 weeks in hospital)^{M1}; or
 - (i) a person who would be liable to pay the flat rate because he satisfies the description in paragraph 4(1)(c) of Schedule 1 to the Act but his net weekly income, inclusive of—
 - (aa) any benefit, pension or allowance that he receives which is prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Act; and
 - (bb) any benefit that he or his partner receives which is prescribed for the purposes of paragraph 4(1)(c) of Schedule 1 to the Act,is less than £5 a week.

Status: Point in time view as at 03/03/2003.

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. (See end of Document for details)

Commencement Information

II [Reg. 5](#) coming into force in accordance with {reg. 1(4)}

Marginal Citations

M1 [S.I. 1975/555](#). Regulation 4(d) has been amended by regulation 2(3)(b) of [S.I. 1987/1683](#) and regulation 6 has been amended by section 18(1) of the [Social Security Act 1986 \(c. 50\)](#), [regulation 3](#) of [S.I. 1977/1963](#), [regulation 2](#) of [S.I. 1987/31](#) and regulation 2 of [S.I. 1987/1683](#).

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