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STATUTORY INSTRUMENTS

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**2001 No. 156**

**The Child Support (Variations) Regulations 2000**

**PART VII**

**EFFECT OF A VARIATION ON THE MAINTENANCE  
CALCULATION AND EFFECTIVE DATES**

**Effective dates**

**22.**—(1) Subject to paragraph (2), where the application for a variation is made in the circumstances referred to in section 28A(3) of the Act (before the Secretary of State has reached a decision under section 11 or 12(1) of the Act) and the application is agreed to, the effective date of the maintenance calculation which takes account of the variation shall be—

- (a) where the ground giving rise to the variation existed from the effective date of the maintenance calculation as provided for in the Maintenance Calculation Procedure Regulations, that date; or
- (b) where the ground giving rise to the variation arose after the effective date referred to in sub-paragraph (a), the first day of the maintenance period in which the ground arose.

(2) Where the ground for the variation applied for under section 28A(3) of the Act is a ground in regulation 12 (prior debts) or 14 (special expenses—payments in respect of certain mortgages, loans or insurance policies) and payments falling within regulation 12 or 14 which have been made by the non-resident parent constitute voluntary payments for the purposes of section 28J of the Act and Regulations made under that section, the date from which the maintenance calculation shall take account of the variation on this ground shall be the date on which the maintenance period begins which immediately follows the date on which the non-resident parent is notified under the Maintenance Calculation Procedure Regulations of the amount of his liability to pay child support maintenance.

(3) Where the ground for the variation applied for under section 28A(3) of the Act has ceased to exist by the date the maintenance calculation is made, that calculation shall take account of the variation for the period ending on the last day of the maintenance period in which the ground existed.