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STATUTORY INSTRUMENTS

2001 No. 157

The Child Support (Maintenance Calculation Procedure) Regulations 2000

PART VI

NOTIFICATIONS FOLLOWING CERTAIN DECISIONS

Notification of a maintenance calculation

23.—(1) A notification of a maintenance calculation made under section 11 or 12(2) of the Act (interim maintenance decision) shall set out, in relation to the maintenance calculation in question—

(a) the effective date of the maintenance calculation;

(b) where relevant, the non-resident parent's net weekly income;

(c) the number of qualifying children;

(d) the number of relevant other children;

(e) the weekly rate;

(f) the amounts calculated in accordance with Part I of Schedule 1 to the Act and, where there has been agreement to a variation or a variation has otherwise been taken into account, the Child Support (Variations) Regulations 2000 [M1];

(g) where the weekly rate is adjusted by apportionment or shared care, or both, the amount calculated in accordance with paragraph 6, 7 or 8, as the case may be, of Part I of Schedule 1 to the Act; and

(h) where the amount of child support maintenance which the non-resident parent is liable to pay is decreased in accordance with regulation 9 or 11 of the Maintenance Calculations and Special Cases Regulations (care provided in part by local authority and non-resident parent liable to pay maintenance under a maintenance order), the adjustment calculated in accordance with that regulation.

(2) A notification of a maintenance calculation made under section 12(1) of the Act (default maintenance decision) shall set out the effective date of the maintenance calculation, the default rate, the number of qualifying children on which the rate is based, whether any apportionment has been applied under regulation 7 and shall state the nature of the information required to enable a decision under section 11 of the Act to be made by way of section 16 of the Act.

(3) Except where a person gives written permission to the Secretary of State that the information in relation to him, mentioned in sub-paragraphs (a) and (b) below, may be conveyed to other persons, any document given or sent under the provisions of paragraph (1) or (2) shall not contain—

(a) the address of any person other than the recipient of the document in question (other than the address of the office of the officer concerned who is exercising functions of the Secretary of State under the Act) or any other information the use of which could reasonably be expected to lead to any such person being located;

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    (b) any other information the use of which could reasonably be expected to lead to any person, other than a qualifying child or a relevant person, being identified.

(4) Where a decision as to a maintenance calculation is made under section 11 or 12 of the Act, a notification under paragraph (1) or (2) shall include information as to the provisions of sections 16, 17 and 20 of the Act.

Marginal Citations

M1   S.I. 2001/156.

Notification when an applicant under section 7 of the Act ceases to be a child

24. Where a maintenance calculation has been made in response to an application by a child under section 7 of the Act and that child ceases to be a child for the purposes of the Act, the Secretary of State shall immediately notify, so far as that is reasonably practicable—

    (a) the other qualifying children who have attained the age of 12 years and the non-resident parent with respect to whom that maintenance calculation was made; and

    (b) the person with care.