
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Child Support (Collection and Enforcement) Regulations 1992 (“the Collection and Enforcement Regulations”), the Child Support (Collection and Enforcement of Other Forms of Maintenance) Regulations 1992 (“the Collection and Enforcement of Other Forms of Maintenance Regulations”) and the Child Support (Arrears, Interest and Adjustment of Maintenance Assessments) Regulations 1992 (“the Arrears, Interest and Adjustment Regulations”) and revoke, with savings provisions, the Child Support Fees Regulations 1992 (“the Fees Regulations”). The amendments reflect amendments made to the Child Support Act 1991 (c. 48) (“the Act”) by the Child Support, Pensions and Social Security Act 2000 (c. 19) (“the 2000 Act”). Regulation 1 deals with citation, commencement and interpretation. Apart from regulations 4 and 6(3) which come into force on 2nd April 2001 and regulation 2(6)(c) and (9) which comes into force on the day on which section 16 of the 2000 Act comes into force, these Regulations come into force at different times for different cases according to the dates on which provisions of the 2000 Act which are relevant to these Regulations are commenced for different types of cases. Regulation 2 amends the Collection and Enforcement Regulations. Regulation 2(2) substitutes regulation 1(2) of the Collection and Enforcement Regulations to include definitions of terms referred to in the amendments to those regulations and amends regulation 1(3) of those regulations.

Regulation 2(3), (6)(a), (7) and (8) makes various amendments to reflect changes in terminology in the Act, changes to the method of collecting fees and methods of payment, the introduction into the Act of the ability to make voluntary payments in the period before a maintenance calculation is made, and the introduction into the Act of a system of penalty payments.

Regulation 2(4) inserts Part IIA in the Collection and Enforcement Regulations to provide for the collection of penalty payments.

Regulation 2(5) makes amendments to the Collection and Enforcement Regulations to reflect changes in the Act relating to deduction from earnings orders and also to reflect changes in terminology and provisions dealing with the collection of interest, fees and penalty payments. Regulation 2(6)(c) inserts regulation 35 in the Collection and Enforcement Regulations, which makes provision in relation to disqualification from driving orders. The regulation provides for the procedures to be followed on the making of such orders.

Regulation 2(9) inserts the Schedule to these Regulations as Schedule 4 to the Collection and Enforcement Regulations, which is a form of order of disqualification from holding or obtaining a driving licence.

Regulation 3 amends the Collection and Enforcement of Other Forms of Maintenance Regulations to reflect changes in terminology in the Act.

Regulation 4 provides that the Fees Regulations shall be revoked.

Regulation 5 amends the Arrears, Interest and Adjustment Regulations to reflect changes in terminology and other amendments to the Act.

Regulation 6 provides for savings.

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 (Collection and Enforcement and Miscellaneous Amendments) Regulations 2000.