
STATUTORY INSTRUMENTS

2002 No. 1204

The Child Support (Miscellaneous Amendments) Regulations 2002

Amendment of the Variations Regulations

9.—(1) The Variations Regulations shall be amended in accordance with the following paragraphs.

(2) In regulation 7 (prescribed circumstances)—

(a) in paragraph (1), for “section 28G” there shall be substituted “section 28A or 28G”; and

(b) in paragraph (7)—

(i) after “agreed” there shall be inserted “and the application had been made under section 28G of the Act”; and

(ii) after “effect” there shall be inserted “and if the variation were agreed, and the application had been made under section 28A of the Act, the decision under section 11 of the Act would take effect”.

(3) In regulation 9(6) (procedure in relation to the determination of an application), for “4(a)” there shall be substituted “(4)(a)”.

(4) In regulation 16(4) (prescription of terms), for “£5000”, there shall be substituted “£4999.99”.

(5) In regulation 18 (assets)—

(a) in sub-paragraph (a) of paragraph (1), for “has the beneficial interest”, there shall be substituted “has a beneficial interest”; and

(b) paragraph (3) shall be amended as follows—

(i) in sub-paragraph (d), before “to any” there shall be inserted “except where the asset is of a type specified in paragraph (2)(b) and produces income which does not form part of the net weekly income of the non-resident parent as calculated or estimated under Part III of the Schedule to the Maintenance Calculations and Special Cases Regulations,”; and

(ii) after sub-paragraph (e), there shall be added—

“; or

(f) where, were the non-resident parent a claimant, paragraph 22 (treatment of payments from certain trusts) or 64 (treatment of relevant trust payments) of Schedule 10 to the Income Support (General) Regulations 1987(1) would apply to the asset referred to in that paragraph.”.

(6) In regulations 18(5), 19(5)(a) and 20(5), after “allowance” there shall be inserted “prescribed for the purposes of paragraph 4(1)(b) of Schedule 1 to the Act”.

(1) Paragraph 22 was substituted by regulation 5(8) of [S.I. 1991/1175](#) and amended by regulation 6(8) of [S.I. 1992/1101](#), regulation 2(3) of [S.I. 1993/963](#) and regulation 4(5) of [S.I. 1993/1249](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
