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STATUTORY INSTRUMENTS

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**2003 No. 328**

**The Child Support (Miscellaneous Amendments) Regulations 2003**

**Amendment of the Maintenance Calculations and Special Cases Regulations**

**8.—**(1) The Maintenance Calculations and Special Cases Regulations shall be amended in accordance with the following paragraphs.

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) after the definition of “the Act”, there shall be inserted the following definition—

““child tax credit” means a child tax credit under section 8 of the Tax Credits Act 2002;”;

(b) the definition of “disabled person’s tax credit” shall be omitted; and

(c) for the definition of “working families’ tax credit”, there shall be substituted the following definition—

““working tax credit” means a working tax credit under section 10 of the Tax Credits Act 2002;”.

(3) In regulation 8(1)(a) (persons treated as non-resident parents), for “qualifying child”, there shall be substituted “child, being a child in respect of whom an application for a maintenance calculation has been made or treated as made”.

(4) In the Schedule (net weekly income)(1)—

(a) in paragraph 6(1), for “sub-paragraphs (2) to (4)”, there shall be substituted “sub-paragraphs (3) and (4)”;

(b) paragraphs 6(2) and 9(4) shall be omitted;

(c) in paragraph 11—

(i) for “working families’ tax credit”, wherever it appears, including in the heading, there shall be substituted “working tax credit”;

(ii) in sub-paragraph (1)—

(aa) for “sub-paragraphs (2) and (3)”, there shall be substituted “sub-paragraph (2)”;

(bb) “under section 128 of the Contributions and Benefits Act” shall be omitted;

(iii) in sub-paragraph (2)—

(aa) for “the weekly earnings”, there shall be substituted “the earnings”; and

(bb) for “the normal weekly earnings”, wherever it appears, there shall be substituted “the earnings”; and

(cc) in head (a), the words “(as determined in accordance with Chapter II of Part IV of the Family Credit (General) Regulations 1987)” shall be omitted;

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(iv) after sub-paragraph (2), there shall be inserted—

“(2A) For the purposes of this paragraph, “earnings” means the employment income and the income from self-employment of the non-resident parent and the other person referred to in sub-paragraph (2), as determined for the purposes of their entitlement to working tax credit.”; and

(v) sub-paragraph (3) shall be omitted;

(d) paragraph 13 shall be omitted; and

(e) at the end of Part IV (Tax Credits), there shall be added—

**“Child tax credit**

**13A.** Payments made by way of child tax credit to a non-resident parent or his partner at the rate payable at the effective date.”.