

2008 No. 1955

FAMILY LAW, ENGLAND AND WALES

CHILD SUPPORT

**The Child Support Commissioners (Procedure) (Amendment)
Regulations 2008**

<i>Made</i> - - - -	<i>18th July 2008</i>
<i>Laid before Parliament</i>	<i>22nd July 2008</i>
<i>Coming into force</i> - -	<i>20th August 2008</i>

The Lord Chancellor makes the following Regulations in exercise of the powers conferred by sections 24(6) and 25(2) of the Child Support Act 1991(a).

In accordance with sections 24(9) and 25(6) of that Act he has consulted the Secretary of State.

Citation and commencement

1. These Regulations may be cited as the Child Support Commissioners (Procedure) (Amendment) Regulations 2008 and shall come into force on 20th August 2008.

Amendment of the Child Support Commissioners (Procedure) Regulations 1999

2. In regulation 4 of the Child Support Commissioners (Procedure) Regulations 1999(b), in the definition of “panel member”, for paragraph (i) substitute—

“(i) is a solicitor of the Senior Courts of England and Wales or a barrister in England and Wales or who has a qualification that is specified in an order made under section 7(6A) of the Social Security Act 1998(c); or”.

3. At any time before the coming into force of section 59(1) of the Constitutional Reform Act 2005(d) (renaming of Supreme Court), the reference to the Senior Courts in regulation 1(2) of the Child Support Commissioners (Procedure) Regulations 1999, as substituted by regulation 2, is to be read as a reference to the Supreme Court.

(a) 1991 c.48; section 24 was amended by the Social Security Act 1998 (c.14), Schedule 7, paragraph 30; and by the Child Support Act 1995 (c.34), Schedule 3, paragraph 7(3); section 25 was amended by the Child Support Act 1995 (c. 34), Schedule 3, paragraphs 8(1) and (2) and by S.I. 1999/678.
(b) S.I. 1999/1305; the definition of “panel member” was amended by S.I. 2005/207, regulation 3(1) and (3)(e).
(c) 1998 c.14; section 7(6A) was substituted by the Tribunals, Courts and Enforcement Act 2007 (c.15), section 50 and Schedule 10, Part 1, paragraph 29(1) and (4).
(d) 2005 c. 4.

18th July 2008

Jack Straw
Lord Chancellor

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the Child Support Commissioners (Procedure) Regulations 1999 (S.I. 1999/1305) (“the 1999 Regulations”). The 1999 Regulations make provision for the procedure to be followed in proceedings before a Child Support Commissioner under the Child Support Act 1991 (c.48) and include provisions concerning leave to appeal to a Child Support Commissioner from an appeal tribunal constituted under the Social Security Act 1998 (c.14) (“the 1998 Act”). The chairmen of appeal tribunals for these purposes may be fee-paid or salary paid office-holders appointed to the panel constituted in accordance with section 6 of the 1998 Act.

These Regulations amend the definition of a panel member in the 1999 Regulations by substituting a reference to qualification as a solicitor or barrister (or a qualification specified by Order) in place of a reference to a qualification mentioned in section 71 of the Courts and Legal Services Act 1990 (c. 41) for appointment as a panel member.

£3.00

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E2920 8/2008 182920T 19585