
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the furnishing of information or evidence required by the Child Maintenance and Enforcement Commission for the purpose of their functions under the Child Support Act 1991 (“the 1991 Act”). They also provide for the disclosure by the Commission of information held for the purpose of the 1991 Act. These Regulations replace the Child Support (Information, Evidence and Disclosure) Regulations 1992.

Part 2 relates to the duty to furnish information or evidence:

Regulations 3 to 6 impose a duty to furnish information required by the Commission on the applicant, on other persons (including the non-resident parent and a person alleged to be a non-resident parent) and on the courts. Regulation 7 deals with the obligation of persons from whom information is requested. Regulation 8 requires a request under regulations 3 to 6 to contain a warning as to the consequences of failure to comply.

Regulations 9 and 10 impose obligations to report matters to the Commission. Regulation 9 requires persons liable to pay child support maintenance to notify a change of address. Regulation 10 requires persons with care to inform the Commission where they believe that the maintenance calculation has ceased to have effect.

Regulation 11 gives inspectors appointed under the 1991 Act a right of entry to Crown premises.

Part 3 deals with disclosure of information:

Regulation 12 provides for disclosure of information by the Commission to a court or tribunal and regulation 13 provides for disclosure of information to the parties to a maintenance calculation.

Regulation 14 extends the application of section 50 of the 1991 Act, which creates an offence for unauthorised disclosure of information, to the employments listed in that regulation.

Part 4 contains miscellaneous provisions.

Regulation 15 revokes the Child Support (Information, Evidence and Disclosure) Regulations 1992 with a saving provision in relation to outstanding requests for information.

Regulation 16 is a transitional provision which enables references to the Commission to be read as references to the Secretary of State pending the transfer of child support functions to the Commission.

An assessment of the impact of these Regulations on the private and voluntary sectors has been made. Copies of this impact assessment are available in the libraries of both Houses of Parliament. Copies may also be obtained from the Better Regulation Unit of the Department for Work and Pensions, level 4, The Adelphi, 1-11 John Adam Street, London WC2N 6HT, or from the DWP website: <http://www.dwp.gov.uk/resourcecentre/ria.asp>.

Changes to legislation:

There are currently no known outstanding effects for the The Child Support Information Regulations 2008.