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STATUTORY INSTRUMENTS

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**2008 No. 2551**

**The Child Support Information Regulations 2008**

**PART 2**

**DUTY TO PROVIDE INFORMATION**

**Information from other persons**

4.—(1) The persons listed in paragraph (2) must furnish such information or evidence as is required by the [<sup>F1</sup>Secretary of State] and is needed—

- (a) for the determination of any application made under the 1991 Act or any question arising in connection with such an application;
- (b) for the making of any decision, or in connection with the imposition of any condition or requirement, under that Act; or
- (c) in connection with the collection or enforcement of child support or other maintenance under that Act.

(2) The persons required to furnish information or evidence are—

- (a) subject to regulation 5, the non-resident parent;
- (b) a current or previous employer of the non-resident parent;
- (c) a person for whom the non-resident parent is providing or has provided services under a contract for services;
- (d) a person who acts or has acted as an accountant for the non-resident parent;
- (e) a person, other than the applicant, who provides day to day care for a child in respect of whom an application for a maintenance calculation has been made or in respect of whom a maintenance calculation is or has been in force;
- (f) a credit reference agency within the meaning given by the Consumer Credit Act 1974 <sup>M1</sup>;
- (g) a local authority in whose area the non-resident parent or the person with care resides or has resided;
- (h) persons employed in the service of the Crown or otherwise in the discharge of Crown functions—
  - (i) under the Road Traffic (Northern Ireland) Order 1981 <sup>M2</sup>, sections 97 to 99A of the Road Traffic Act 1988 <sup>M3</sup> or Part II of the Vehicle Excise and Registration Act 1994 <sup>M4</sup>; or
  - (ii) under the Prison Act 1952 <sup>M5</sup>, the Prison Act (Northern Ireland) 1953 <sup>M6</sup> or the Prisons (Scotland) Act 1989 <sup>M7</sup>;
- (i) a person who, in the course of business, may lawfully accept deposits in the United Kingdom;

- (j) a person who, within the meaning of the Electricity Act 1989<sup>M8</sup>, distributes or supplies electricity;
- (k) a person who is the holder of a licence under section 7 of the Gas Act 1986<sup>M9</sup> to convey gas through pipes or the holder of a licence under section 7A(1) of that Act to supply gas through pipes.
- [<sup>F2</sup>(ka) a person (“P”)—
- (i) who is carrying on, or who has carried on, share trading or investment management;
  - (ii) who is communicating, or who has communicated, in the course of business, an invitation or inducement to engage in share trading or investment management;]
- [<sup>F2</sup>(kb) a person (P’s “intermediary”) who has, or who has had, arrangements with P that P is, or was, to—
- (i) carry on share trading or investment management;
  - (ii) communicate, in the course of business, an invitation or inducement to engage in share trading or investment management;]
- [<sup>F2</sup>(kc) except where sub-paragraph (d) applies, a person providing, or who has provided, professional services to the non-resident parent, P or P’s intermediary, in relation to the activities described in sub-paragraph (ka) or (kb);]
- [<sup>F2</sup>(kd) a proprietor of an Academy, where “proprietor” and “Academy” have the same meaning as in section 579 of the Education Act 1996;]
- [<sup>F3</sup>(l) a qualifying lender (within the meaning given in section 19(7) of the Welfare Reform and Work Act 2016);
- (m) a trustee, manager or administrator of an occupational [<sup>F4</sup>, or personal,] pension scheme (within the meaning of section 1(1) of the Pension Schemes Act 1993).]
- [<sup>F5</sup>(n) the Motor Insurers’ Bureau, a company limited by guarantee, or its officers where officer has the meaning given by section 1173(1) of the Companies Act 2006.]
- (3) The persons mentioned in paragraph (2) (b) and (c) include persons employed in the service of the Crown or otherwise in the discharge of Crown functions.
- [<sup>F6</sup>(4) For the purposes of this regulation—
- “the 2001 Order” means the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001
- “the 2005 Order” means the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005
- “carrying on share trading or investment management” means carrying on a regulated activity referred to in—
- (a) any of articles 14, 21, 25, 40, 45 or 53 of the 2001 Order in relation to shares or stock within the meaning of article 76 of that Order;
  - (b) article 37 of the 2001 Order,
- and an expression referring to this is to be construed accordingly;
- “engage in share trading or investment management” means engaging in an activity referred to in—
- (a) any of paragraphs 3, 4, 6, 7 or 11 of Part I of Schedule 1 to 2005 Order in relation to shares or stock within the meaning of paragraph 14 of Part II of Schedule 1 to that Order,
  - (b) paragraph 5 of Part I of Schedule 1 to the 2005 Order;
- and an expression referring to this is to be construed accordingly;

“communicate” has the same meaning as in section 21(13) of the Financial Services and Markets Act 2000;

“in the course of business” and “invitation or inducement” have the same meanings as in the Financial Services and Markets Act 2000;

“professional services” has the same meaning as in section 327(8) of the Financial Services and Markets Act 2000;

“regulated activity” has the same meaning as in section 22 of the Financial Services and Markets Act 2000.]

### Textual Amendments

- F1** Words in reg. 4(1) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 1(2), **Sch. para. 116(3)**
- F2** [Reg. 4\(2\)\(ka\)-\(kd\)](#) inserted (26.5.2022) by [The Child Support \(Amendments Relating to Electronic Communications and Information\) \(England and Wales and Scotland\) Regulations 2022 \(S.I. 2022/503\)](#), regs. 1(2), **10(a)**
- F3** [Reg. 4\(2\)\(l\)\(m\)](#) inserted (24.7.2019) by [The Child Support \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1084\)](#), regs. 1(2), **13**
- F4** Words in [reg. 4\(2\)\(m\)](#) inserted (26.5.2022) by [The Child Support \(Amendments Relating to Electronic Communications and Information\) \(England and Wales and Scotland\) Regulations 2022 \(S.I. 2022/503\)](#), regs. 1(2), **10(b)**
- F5** [Reg. 4\(2\)\(n\)](#) inserted (26.5.2022) by [The Child Support \(Amendments Relating to Electronic Communications and Information\) \(England and Wales and Scotland\) Regulations 2022 \(S.I. 2022/503\)](#), regs. 1(2), **10(c)**
- F6** [Reg. 4\(4\)](#) inserted (26.5.2022) by [The Child Support \(Amendments Relating to Electronic Communications and Information\) \(England and Wales and Scotland\) Regulations 2022 \(S.I. 2022/503\)](#), regs. 1(2), **10(d)**

### Marginal Citations

- M1** 1974 c. 39.
- M2** [S.I. 1981/154 \(N.I. 1\)](#).
- M3** 1988 c. 52. Sections 97 to 99A were amended by the [Road Traffic \(Driver Licensing and Information Systems\) Act 1989 \(c. 22\)](#), the [Road Traffic Act 1991 \(c. 40\)](#), the [Driving Licence \(Community Driving Licence\) Regulations 1990 S.I. 1990/144](#), the [Driving Licence \(Community Driving Licence\) Regulations 1996 S.I. 1996/1974](#), the [Driving Licence \(Community Driving Licence\) Regulations 1998 S.I. 1998/1420](#) and the [Transport Act 2000 \(c. 38\)](#).
- M4** 1994 c. 22. Part II was amended by the [Finance Act 1995 \(c. 4\)](#), the [Finance Act 1996 \(c. 8\)](#), the [Finance Act 1997 \(c. 16\)](#), the [Finance \(No. 2\) Act 1997 \(c. 58\)](#), the [Finance Act 1998 \(c. 36\)](#), the [Vehicles \(Crime\) Act 2001 \(c. 3\)](#), the [Finance Act 2002 \(c. 23\)](#), the [Finance Act 2003 \(c. 14\)](#) and the [Serious Organised Crime and Police Act 2005 \(c. 15\)](#).
- M5** 1952 c. 52.
- M6** 1953 c. 18.
- M7** 1989 c. 45.
- M8** 1989 c. 29.
- M9** 1986 c. 44.

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Support Information Regulations 2008, Section 4.