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STATUTORY INSTRUMENTS

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**2008 No. 2656**

**FAMILY LAW**

**CHILD SUPPORT**

**The Child Support (Consequential Provisions) (No. 2) Regulations 2008**

<i>Made</i>	- - - -	<i>7th October 2008</i>
<i>Laid before Parliament</i>		<i>10th October 2008</i>
<i>Coming into force</i>	- -	<i>1st November 2008</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 57(2) of the Child Maintenance and Other Payments Act 2008<sup>(1)</sup>:

**Citation and commencement**

1. These Regulations may be cited as the Child Support (Consequential Provisions) (No. 2) Regulations 2008 and shall come into force on 1st November 2008.

**The Employment Act 2002**

2. In section 13(2) of the Employment Act 2002<sup>(2)</sup> (supply of information held by the Board)—
- (a) in paragraphs (a) and (b), after “Secretary of State” in each place it occurs, insert “, the Child Maintenance and Enforcement Commission”; and
  - (b) after “war pensions” add “and in relation to the Child Maintenance and Enforcement Commission, any function of that Commission”.

**The Sexual Offences Act 2003**

- 3.—(1) The Sexual Offences Act 2003<sup>(3)</sup> is amended as follows.
- (2) In section 94 (Part 2: supply of information to Secretary of State etc for verification)—
- (a) in subsection (2)—
    - (i) after paragraph (a) insert—

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(1) 2008 c.6.  
(2) 2002 c.22.  
(3) 2003 c.42.

- “(aa) the Child Maintenance and Enforcement Commission;” and
- (ii) in paragraph (c), after “Secretary of State” insert “, the Child Maintenance and Enforcement Commission”;
- (b) in subsection (4), in paragraph (a)(i) after “Secretary of State” insert “, the Child Maintenance and Enforcement Commission”; and
- (c) in subsection (8), in the definition of “relevant function” after paragraph (a) insert—
  - “(aa) in relation to the Child Maintenance and Enforcement Commission, any function of that Commission.”.
- (3) In section 95 (Part 2: supply of information by Secretary of State etc)—
  - (a) in subsection (1), after paragraph (a) insert—
    - “(aa) the Child Maintenance and Enforcement Commission;” and
  - (b) in subsection (3)(a), after “Secretary of State” insert “, the Child Maintenance and Enforcement Commission”.

#### **The Social Security and Child Support (Decisions and Appeals) Regulations 1999**

- 4.—(1) Regulation 1(3) of the Social Security and Child Support (Decisions and Appeals) Regulations 1999(4) (interpretation) is amended as follows.
- (2) After the definition of “clerk to the appeal tribunal” insert—
    - ““the Commission” means the Child Maintenance and Enforcement Commission;”.
  - (3) In paragraph (a) of the definition of “official error”—
    - (a) after the words “Work and Pensions” insert “, the Commission”; and
    - (b) after the words “the Department” insert “, the Commission” in each place it occurs.
  - (4) In the definition of “party to the proceedings” after “the Secretary of State” insert “or where the proceedings relate to child support, the Commission”.

7th October 2008

*James Purnell*  
Secretary of State for Work and Pensions

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(4) *S.I. 1999/991*, amended by *S.I. 2002/1379*, *S.I. 1999/2570* and *S.I. 2008/2544*; there are other amending instruments but none is relevant.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations make provision consequential on the coming into force of section 13 of the Child Maintenance and Other Payments Act 2008 (c.6).

The Regulations insert references to the Child Maintenance and Enforcement Commission in, and make other related amendments to, the following legislation:

- the Employment Act 2002
- the Sexual Offences Act 2003
- the Social Security and Child Support (Decisions and Appeals) Regulations 1999.

A full impact assessment has not been published for this instrument as it has no impact on the costs of business, charities and the voluntary sector.