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STATUTORY INSTRUMENTS

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**2012 No. 2677**

**The Child Support Maintenance Calculation Regulations 2012**

**PART 4**

THE MAINTENANCE CALCULATION RULES

CHAPTER 4

SPECIAL CASES

**Child in care who is allowed to live with their parent**

**51.**—(1) Where the circumstances of a case are that a qualifying child who is in the care of a local authority in England and Wales is allowed by the authority to live with a parent of that child under section 22C(2)<sup>F1</sup>... of the Children Act 1989 [F2] or section 81(2) of the Social Services and Well-being (Wales) Act 2014]<sup>M1</sup>, that case is to be treated as a special case for the purposes of the 1991 Act.

(2) For the purposes of this case, section 3(3)(b) of the 1991 Act is to be modified so that, for the reference to the person who usually provides day to day care for the child there is substituted a reference to the parent of the child with whom the local authority has allowed the child to live.

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**Textual Amendments**

- F1** Words in Pt. 4 reg. 51(1) omitted (3.11.2017) by virtue of [The Social Services and Well-being \(Wales\) Act 2014 and the Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Order 2017 \(S.I. 2017/901\)](#), arts. 1, **28(2)**
- F2** Words in Pt. 4 reg. 51(1) inserted (3.11.2017) by [The Social Services and Well-being \(Wales\) Act 2014 and the Regulation and Inspection of Social Care \(Wales\) Act 2016 \(Consequential Amendments\) Order 2017 \(S.I. 2017/901\)](#), arts. 1, **14(2)**

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**Commencement Information**

- I1** Reg. 51 wholly in force; reg. 51 not in force at made date; reg. 51 in force at 29.7.2013 for certain purposes and reg. 51 in force at 25.11.2013 in so far as not already in force, see reg. 1, [SI 2013/1860](#) and [S.I. 2013/2947](#)

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**Marginal Citations**

- M1** [1989 c. 41](#). Section 22C(2) is inserted prospectively by section 8 of the [Children and Young Persons Act 2008 \(c.23\)](#); when it is in force, it will replace section 23(5).

**Changes to legislation:**

There are currently no known outstanding effects for the The Child Support Maintenance Calculation Regulations 2012, Section 51.