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STATUTORY INSTRUMENTS

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**2013 No. 1517**

**The Child Support (Miscellaneous Amendments) Regulations 2013**

**Amendment of the Child Support Maintenance Calculation Regulations 2012**

- 8.**—(1) The Child Support Maintenance Calculation Regulations 2012 are amended as follows.
- (2) In regulation 34 (the general rule for determining gross weekly income)—
- (a) in paragraph (2)—
- (i) in sub-paragraph (b) omit “the amount of historic income is nil or”;
- (ii) after sub-paragraph (b), insert—
- “; or
- (c) the Secretary of State is unable, for whatever reason, to request or obtain the required information from HMRC.”;
- (b) after paragraph (2), insert—
- “(2A) For the purposes of paragraph (2)(a), current income is to be treated as differing from historic income by an amount that is at least 25% of historic income where—
- (a) the amount of historic income is nil; and
- (b) the amount of current income is greater than nil.”.
- (3) In paragraph (1)(a) of regulation 42 (estimate of current income where insufficient information available)—
- (a) after “by virtue of” insert “regulation 34(2)(a) where the amount of historic income is nil or by virtue of”;
- (b) after “34(2)(b)” insert “or (c)”;
- (c) omit “nil or”.
- (4) In regulation 50 (parent treated as a non-resident parent in shared care cases), after paragraph (3) insert—
- “(4) For the purposes of paragraph (3), where a person has made an election under section 13A(1) of the Social Security Administration Act 1992 (election not to receive child benefit) for payments of child benefit not to be made, that person is to be treated as receiving child benefit.”.
- (5) In regulation 54 (care provided for relevant other child by a local authority), the existing provision becomes paragraph (1), and after that paragraph insert—
- “(2) For the purposes of paragraph (1), where a person has made an election under section 13A(1) of the Social Security Administration Act 1992 (election not to receive child benefit) for payments of child benefit not to be made, that person is to be treated as receiving child benefit.”.
- (6) In paragraph (2) of regulation 75 (situations in which a variation previously agreed to may be taken into account in calculating maintenance liability) omit from “and the Secretary of State is satisfied” to “ceased to have effect”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(7) For the heading to regulation 77 (relevant other child outside Great Britain), substitute “Meaning of “relevant other child” for the purposes of the 1991 Act”.

(8) In regulation 77, the words from “would receive” to the end become paragraph (a), and after that paragraph insert—

“; or

(b) has made an election under section 13A(1) of the Social Security Administration Act 1992 (election not to receive child benefit) for payments of child benefit not to be made.”.