

STATUTORY INSTRUMENTS

2013 No. 1654

**The Child Support and Claims and Payments
(Miscellaneous Amendments and Change to the
Minimum Amount of Liability) Regulations 2013**

Amendment to the Child Support Maintenance Calculation Regulations 2012

5.—(1) The Child Support Maintenance Calculation Regulations 2012 are amended as follows.

(2) For the Table in regulation 43 (reduced rate), substitute the following table—

	<i>“Number of relevant other children of the non-resident parent</i>	<i>T (%)</i>
1 qualifying child of the non-resident parent	0	17.0
	1	14.1
	2	13.2
	3 or more	12.4
2 qualifying children of the non-resident parent	0	25.0
	1	21.2
	2	19.9
	3 or more	18.9
3 or more qualifying children of the non-resident parent	0	31.0
	1	26.4
	2	24.9
	3 or more	23.8”

(3) In regulation 69 (non-resident parent with unearned income)—

(a) in paragraph (5), after sub-paragraph (b) insert—

“or

(c) the Secretary of State is unable, for whatever reason, to request or obtain the information from HMRC,”;

(b) after paragraph (7) insert—

“(8) Subject to paragraph (9), where the non-resident parent makes relievable pension contributions, which have not been otherwise taken into account for the purposes of the maintenance calculation, there is to be deducted from the additional weekly income

calculated in accordance with paragraph (7) an amount determined by the Secretary of State as representing the weekly average of those contributions.

(9) An amount must only be deducted in accordance with paragraph (8) where the relievable pension contributions referred to in that paragraph relate to the same tax year that has been used for the purposes of determining the additional weekly income.”.

(4) In paragraph (1)(c) of regulation 70 (non-resident parent on a flat or nil rate with gross weekly income), omit “equal to or”.

(5) In regulation 74 (effect on maintenance calculation – general), after paragraph (1) insert—

“(1A) Where the application of a variation agreed to (or of the aggregate of variations agreed to) would decrease the amount of child support maintenance payable by the non-resident parent to less than the figure equivalent to the flat rate referred to in paragraph 4(1) of Schedule 1 to the 1991 Act (or in that sub-paragraph as modified by regulations under paragraph 10A of that Schedule), the non-resident parent is instead liable to pay child support maintenance at a rate equivalent to that flat rate apportioned if appropriate as provided in paragraph 6 of Schedule 1 to that Act.”.