

**2006 No. 1520****FAMILY LAW****The Child Support (Miscellaneous Amendments)  
Regulations 2006***Made - - - - 13th June 2006**Laid before Parliament 16th June 2006**Coming into force in accordance with regulations 1*

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred on him by sections 14(1), 16(4), 29(2) and (3), 32, 34, 40B(3), 52(4) and 54 of, and paragraph 11 of Part 2 of Schedule 1 to, the Child Support Act 1991(a):

**Citation and commencement**

1.—(1) These Regulations may be cited as the Child Support (Miscellaneous Amendments) Regulations 2006 and, subject to paragraph (2), come into force on 12th July 2006.

(2) Where, in relation to a particular case, paragraph 11(16) of Schedule 3 to the Child Support, Pensions and Social Security Act 2000(b) has not come into force before 12th July 2006, regulation 3(3) shall come into force for the purposes of that case on the day on which that paragraph comes into force.

[Regulation 2 amends regulation 2 and 3 of S.I. 1992/1812.]

[Regulation 3 amends regulations 3, 11, 26 and 28 of S.I. 1992/1989.]

[Regulation 4 amends regulation 5A of S.I. 1999/991.]

[Regulation 5 inserts regulation 29A into S.I. 2001/157.]

[Regulation 6 amends regulations 1 and 6 of S.I. 2001/162.]

Signed by authority of the Secretary of State for Work and Pensions.

*Philip Hunt*

Parliamentary Under Secretary of State,  
Department for Work and Pensions

13th June 2006

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- (a) 1991 c. 48. Section 16 was substituted by section 40 of the Social Security Act 1998 (c. 14). Section 29(2) and (3) and paragraph 11 of Part 2 of Schedule 1 were amended by section 1(2)(a) and (b) of the Child Support, Pensions and Social Security Act 2000 (c. 19); section 14(1) was amended by section 12 of, and paragraph 11(7) of Schedule 3 to, that Act; section 32 was amended by paragraph 16 of Schedule 3 to that Act and section 40B was inserted by section 16(3) of that Act. Section 54 is cited for the meaning given to the word “prescribed”.
- (b) 2000 c. 19. See article 3 of S.I. 2003/192 for the commencement of paragraph 11(16) of Schedule 3 to that Act.

**EXPLANATORY NOTE**

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

These Regulations make miscellaneous amendments to regulations relating to child support.

The powers exercised to make these Regulations are those contained in the Child Support Act 1991 (“the 1991 Act”), as amended by the Child Support, Pensions and Social Security Act 2000 (“the 2000 Act”). Some of the amendments made by the 2000 Act are only in force for the purposes of specified categories of case (see the Child Support, Pensions and Social Security Act 2000 (Commencement No.12) Order 2003) (“the new scheme”). In all other cases the 1991 Act prior to those amendments continues to apply (“the old scheme”).

Regulation 1 deals with citation and commencement. The Regulations come into force on 12th July 2006, save that regulation 3(3) (which relates to deduction from earnings orders) only comes into force for cases under the new scheme.

Regulation 2 amends the Child Support (Information, Evidence and Disclosure) Regulations 1992 (S.I. 1992/1812) by making provision for credit reference agencies to be required to furnish information to the Secretary of State.

Regulation 3 makes a number of amendments to the Child Support (Collection and Enforcement) Regulations 1992 (S.I.1992/1989). First, it extends the range of arrangements for collection of child support by adding payment by credit card and voluntary deduction from earnings arrangements (paragraph (2)). Secondly, it provides a basis for calculating the protected earnings proportion in relation to a deduction from earnings order which relates only to arrears of child support maintenance (paragraph (3)). Thirdly, it extends to Scotland the provision for determining the costs in relation to a disqualification from driving order (paragraph 4). Lastly, it removes the 6 year limitation period for an application for a liability order, but only in relation to amounts that became due after 12th July 2000 (that is amounts which were not already time barred at the commencement of these Regulations) (paragraph (5)).

Regulation 4 amends the Social Security and Child Support (Decisions and Appeals) Regulations 1999 (S.I. 1999/991) by revoking the provision which specifies an effective date in a case where a default maintenance decision is revised as if it were a maintenance calculation under section 11 of the Act.

Regulation 5 amends the Child Support (Maintenance Calculation Procedure) Regulations 2000 (S.I. 2001/157) by providing for an interim effective date for the initial calculation of child support maintenance in cases where the available information does not cover the whole of the relevant period.

Regulation 6 amends the Child Support (Collection and Enforcement and Miscellaneous Amendments) Regulations 2000 (S.I. 2001/162) in two respects. First, it amends the commencement provisions so as to bring fully into force (that is for both old and new scheme cases) the amendments in those Regulations which make provision for collection of child support maintenance by debit card (paragraph (2)). Secondly, it amends the savings provision in regulation 6 so that, in cases which have been converted from the old scheme to the new scheme, all arrears of child support maintenance, whenever they accrued, are treated the same for collection and enforcement purposes (paragraph (3)).

These Regulations do not impose any costs on business, charities or the voluntary sector.