

Changes to legislation: Child Support, Pensions and Social Security Act 2000, SCHEDULE 8 is up to date with all changes known to be in force on or before 03 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 8

Section 83.

DECLARATIONS OF STATUS: CONSEQUENTIAL AMENDMENTS

The Births and Deaths Registration Act 1953 (c.20)

- 1 In section 14A(1)(a) of the Births and Deaths Registration Act 1953 (re-registration of birth where notification of declaration of parentage given under section 56(4) of the ^{M1}Family Law Act 1986), for “56(4)” there shall be substituted “55A(7) or 56(4)”.

Marginal Citations

M1 1986 c. 55.

The Magistrates’ Courts Act 1980 (c.43)

^{F12}

Textual Amendments

F1 Sch. 8 para. 2 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 99](#) Table; [S.I. 2014/954](#), art. 2(d) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

The Family Law Act 1986 (c.55)

- 3 The Family Law Act 1986 shall be amended as follows.
- 4 In section 55 (declarations as to marital status)—
- (a) in subsection (1), for “the court” there shall be substituted “the High Court or a county court”, and
 - (b) in subsection (3), after “made” there shall be inserted “to a court”.
- 5 In section 56 (declarations as to legitimacy or legitimation)—
- (a) in subsections (1) and (2), for “the court” there shall be substituted “the High Court or a county court”, and
 - (b) in subsection (4), after “made” there shall be inserted “by a court”.
- 6 In section 57(1) (application to the court for declaration as to overseas adoption), for “the court” there shall be substituted “the High Court or a county court”.
- 7 In section 58 (general provisions)—
- (a) in subsection (1), after “application” there shall be inserted “to a court”, and
 - (b) in subsection (3), for “The” there shall be substituted “A”.

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- 8 In section 59 (provisions relating to the Attorney-General)—
 - (a) in subsections (1) and (2), after “an application” there shall be inserted “to a court”, and
 - (b) in subsection (3), after “any application” there shall be inserted “to a court”.

The Family Law Reform Act 1987 (c.42)

- 9 In section 23(1) of the Family Law Reform Act 1987—
 - (a) in subsection (2) to be substituted for section 20(2) of the ^{M2}Family Law Reform Act 1969 (report to court about scientific tests), for “person responsible for” there shall be substituted “individual”; and
 - (b) in subsection (2A) to be inserted in section 20 of that Act (blood tests in proceedings under section 56 of the ^{M3}Family Law Act 1986), for “56” there shall be substituted “55A or 56”.

Marginal Citations

M2 1969 c. 46.
M3 1986 c. 55.

The Children Act 1989 (c.41)

^{F2}10

Textual Amendments

F2 Sch. 8 para. 10 repealed (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 210](#) Table; [S.I. 2014/954, art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

The Child Support Act 1991 (c.48)

- 11 The Child Support Act 1991 shall be amended as follows.
- 12 In section 26(2) (cases where Secretary of State may make maintenance calculation despite denial of parentage), in Case C (where there has been a declaration under section 56 of the ^{M4}Family Law Act 1986), after “section” there shall be inserted “55A or”.

Marginal Citations

M4 1986 c. 55.

13 For section 27 (declarations of parentage) there shall be substituted—

“27 Applications for declaration of parentage under Family Law Act 1986.

- (1) This section applies where—
 - (a) an application for a maintenance calculation has been made (or is treated as having been made), or a maintenance calculation is in

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force, with respect to a person (“the alleged parent”) who denies that he is a parent of a child with respect to whom the application or calculation was made or treated as made;

- (b) the Secretary of State is not satisfied that the case falls within one of those set out in section 26(2); and
- (c) the Secretary of State or the person with care makes an application for a declaration under section 55A of the ^{M5}Family Law Act 1986 as to whether or not the alleged parent is one of the child’s parents.

(2) Where this section applies—

- (a) if it is the person with care who makes the application, she shall be treated as having a sufficient personal interest for the purposes of subsection (3) of that section; and
- (b) if it is the Secretary of State who makes the application, that subsection shall not apply.

(3) This section does not apply to Scotland.”

Marginal Citations

M5 1986 c. 55.

14 In section 27A(2)(b) (Secretary of State to recover fees for scientific tests if a court has made a declaration of parentage under section 27), for “section 27” there shall be substituted “section 55A of the Family Law Act 1986”.

The Access to Justice Act 1999 (c.22)

^{F3}15

Textual Amendments

F3 Sch. 8 para. 15 repealed (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 Pt. 2](#); S.I. 2013/453, art. 3(h) (with savings and transitional provisions in S.I. 2013/534, art. 6)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 70A inserted by [2012 c. 5 Sch. 3 para. 13](#)
- Sch. 7 para. 1(2)(c) inserted by [2007 c. 5 Sch. 5 para. 13](#)
- Sch. 7 para. 6(5A)(5B) inserted by [2012 c. 5 Sch. 11 para. 13\(3\)](#)
- Sch. 7 para. 6(8)(b) inserted by [2012 c. 5 Sch. 11 para. 13\(4\)\(b\)](#)
- Sch. 7 para. 6(8)(a) words in Sch. 7 para. 6(8) renumbered as Sch. 7 para. 6(8)(a) by [2012 c. 5 Sch. 11 para. 13\(4\)\(a\)](#)

Commencement Orders yet to be applied to the Child Support, Pensions and Social Security Act 2000

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2003/346 art. 2](#) amendment to earlier commencing [SI 2003/192 art. 6](#)