



Child Support, Pensions and Social Security Act 2000

2000 CHAPTER 19

PART I

CHILD SUPPORT

Parentage

15 Presumption of parentage in child support cases

- (1) In section 26(2) of the 1991 Act (cases in which the Secretary of State may assume a person to be the parent of a child for the purpose of making a maintenance calculation under that Act), before Case A there shall be inserted—

“CASE A1

Where—

- (a) the child is habitually resident in England and Wales;
- (b) the Secretary of State is satisfied that the alleged parent was married to the child’s mother at some time in the period beginning with the conception and ending with the birth of the child; and
- (c) the child has not been adopted.

CASE A2

Where—

- (a) the child is habitually resident in England and Wales;
- (b) the alleged parent has been registered as father of the child under section 10 or 10A of the Births and Deaths Registration Act 1953, or in any register kept under section 13 (register of births and still-births) or section 44 (Register

Status: This is the original version (as it was originally enacted).

- of Corrections Etc) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965, or under Article 14 or 18(1)(b)(ii) of the Births and Deaths Registration (Northern Ireland) Order 1976; and
- (c) the child has not subsequently been adopted.

CASE A3

Where the result of a scientific test (within the meaning of section 27A) taken by the alleged parent would be relevant to determining the child's parentage, and the alleged parent—

- (a) refuses to take such a test; or
- (b) has submitted to such a test, and it shows that there is no reasonable doubt that the alleged parent is a parent of the child.”
- (2) In that provision, after Case B there shall be inserted—

“CASE B1

Where the Secretary of State is satisfied that the alleged parent is a parent of the child in question by virtue of section 27 or 28 of that Act (meaning of “mother” and of “father” respectively).”