
Changes to legislation: There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 5

MAINTENANCE CALCULATIONS: TRANSFER OF CASES TO NEW RULES

Power to require a decision about whether to stay in the statutory scheme

- 3 (1) The Secretary of State shall by regulations make such provision as he thinks fit about exercise of the right to make a choice required under paragraph 1(1).
- (2) Regulations under sub-paragraph (1) shall, in particular—
- (a) make provision about the time within which the choice must be made;
 - (b) make provision for a choice to stay in the statutory scheme to be made by means of an application to the [^{F1}Secretary of State] for a maintenance calculation;
 - (c) make provision about the form and content of any application required by provision under paragraph (b).
- [^{F2}(3) The Commission may before accepting an application required by provision under sub-paragraph (2)(b) invite the applicant to consider with the Commission whether it is possible to make a maintenance agreement (within the meaning of section 9 of the Child Support Act 1991).]

Textual Amendments

- F1** Words in Sch. 5 para. 3(2)(b) substituted (1.8.2012) by [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 3(2), [Sch. para. 96\(4\)](#)
- F2** [Sch. 5 para. 3\(3\)](#) inserted (25.11.2013) by [Welfare Reform Act 2012 \(c. 5\)](#), [ss. 136\(2\)](#), 150(3); [S.I. 2013/2947](#), art. 6

Commencement Information

- I1** [Sch. 5 para. 3](#) in force at 9.3.2014 for specified purposes by [S.I. 2014/576](#), [art. 2\(b\)](#)
- I2** [Sch. 5 para. 3](#) in force at 30.6.2014 in so far as not already in force by [S.I. 2014/1635](#), [art. 2](#) (with [art. 3](#))

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