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**Changes to legislation:** There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Paragraph 6. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### MAINTENANCE CALCULATIONS: TRANSFER OF CASES TO NEW RULES

##### *Additional powers*

- 6 (1) The Secretary of State may by regulations make such provision as appears to the Secretary of State to be necessary or expedient for the purposes of, or in connection with, giving effect to a decision not to leave the statutory scheme.
- (2) Regulations under sub-paragraph (1) may, in particular—
- (a) make provision about procedure in relation to determination of an application made in pursuance of regulations under paragraph 3;
  - (b) make provision about the application of the Child Support Act 1991 (c. 48) in relation to a maintenance calculation made in response to such an application;
  - (c) prescribe circumstances in which liability under such a maintenance calculation is to be subject to a prescribed adjustment.
- (3) The Secretary of State may by regulations make provision enabling the [<sup>F1</sup>Secretary of State] to treat an application of the kind mentioned in paragraph 1(2)(b) or (d) as withdrawn if none of the interested parties chooses to stay in the statutory scheme.

##### **Textual Amendments**

- F1** Words in [Sch. 5 para. 6\(3\)](#) 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\(4\)](#)

##### **Commencement Information**

- I1** [Sch. 5 para. 6](#) in force at 9.3.2014 for specified purposes by [S.I. 2014/576](#), art. 2(b)
- I2** [Sch. 5 para. 6](#) in force at 30.6.2014 in so far as not already in force by [S.I. 2014/1635](#), art. 2 (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Paragraph 6.