



Child Maintenance and Other Payments Act 2008

2008 CHAPTER 6

PART 5

GENERAL

55 Regulations and orders: general

- (1) This section has effect in relation to regulations under this Act, except Part 4.
- (2) Power to make regulations is exercisable by statutory instrument.
- (3) Power to make regulations includes power to make incidental, supplementary, consequential or transitional provision or savings.
- (4) Power to make regulations may be exercised—
 - (a) in relation to all cases to which it extends, in relation to those cases but subject to specified exceptions or in relation to any specified cases or classes of case;
 - (b) so as to make, as respects the cases in relation to which it is exercised—
 - (i) the full provision to which it extends or any lesser provision (whether by way of exception or otherwise);
 - (ii) the same provision for all cases, different provision for different cases or classes of case or different provision as respects the same case or class of case but for different purposes of this Act;
 - (iii) provision which is either unconditional or is subject to any specified condition;
 - (c) so as to provide for a person to exercise a discretion in dealing with any matter.
- (5) A statutory instrument containing—
 - (a) regulations under section 6(1) or (4), [^{F1}or]
 - (b) the first regulations under paragraphs 2(1), 3(1), 5(1) or (2), 6(1) or (3) or 7 of Schedule 5, ^{F2}...

Changes to legislation: There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 55. (See end of Document for details)

(c) ^{F2}

shall not be made unless a draft of the statutory instrument containing the regulations or order has been laid before, and approved by a resolution of, each House of Parliament.

(6) A statutory instrument that—

(a) contains regulations, and

(b) is not subject to a requirement that a draft of the instrument be laid before, and approved by a resolution of, each House of Parliament,

shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F1 Word in s. 55(5)(a) inserted (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. 90(a)**

F2 S. 55(5)(c) and preceding word omitted (1.8.2012) by virtue of [The Public Bodies \(Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions\) Order 2012 \(S.I. 2012/2007\)](#), art. 3(2), **Sch. para. 90(b)**

Changes to legislation:

There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Section 55.