
STATUTORY INSTRUMENTS

1994 No. 731

**The Child Support Act 1991
(Consequential Amendments) Order 1994**

Amendment of section 59 of the Magistrates' Courts Act 1980

3.—(1) Section 59 of the Magistrates' Courts Act 1980(1) shall be amended in accordance with the following provisions of this Article.

(2) In subsection (3), after paragraph (c) there shall be inserted the following paragraph—

“(cc) the power to order that payments under the order be made in accordance with arrangements made by the Secretary of State for their collection;”.

(3) After subsection (3) there shall be inserted the following subsection—

“(3A) No order made by a magistrates' court under paragraphs (a) to (d) of subsection (3) above (other than one made under paragraph (cc)) shall have effect at any time when the Secretary of State is arranging for the collection of payments under the qualifying maintenance order concerned.”.

(4) In subsection (5), after the words “paragraphs (a) to (d) of subsection (3) above” there shall be inserted the words “(other than paragraph (cc))”.

(5) In subsection (7), for the words “paragraph (c) or (d)” there shall be substituted the words “paragraph (c), (cc) or (d)”.

(6) For subsection (12) there shall be substituted the following subsection—

“(12) For the purposes of this section—

- (a) the reference in subsection (1) above to money paid periodically by one person to another includes, in the case of a maintenance order, a reference to a lump sum paid by instalments by one person to another; and
- (b) references to arrangements made by the Secretary of State for the collection of payments are to arrangements made by him under section 30 of the Child Support Act 1991 and regulations made under that section.”.

(1) 1980 c. 43. Section 59 was amended by section 2 of the Maintenance Enforcement Act 1991 (c. 17) and S.I.1992/709.