

2000 No. 3354 (C.112)

FAMILY LAW

CHILD SUPPORT

**The Child Support, Pensions and Social Security Act 2000
(Commencement No. 5) Order 2000**

Made - - - - - 18th December 2000

The Secretary of State for Social Security, in exercise of the powers conferred upon him by section 86(2) of the Child Support, Pensions and Social Security Act 2000(a) and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation

1.—(1) This Order may be cited as the Child Support, Pensions and Social Security Act 2000 (Commencement No. 5) Order 2000.

(2) In this Order—

- (a) “the Act” means the Child Support, Pensions and Social Security Act 2000 and, except where otherwise stated, references to sections and Schedules are references to sections of and Schedules to the Act; and
- (b) “the 1991 Act” means the Child Support Act 1991(b).

Appointed days

2.—(1) 31st January 2001 is the day appointed for the coming into force of the following provisions:—

- (a) sections 13,14, 15 and 22(1) to (3); and
- (b) paragraph 11(2) of Schedule 3, and section 26 in so far as it relates to that paragraph, in so far as that paragraph affects section 3(2) of the 1991 Act (change of terminology from “absent parent” to “non-resident parent”) for the purposes of sections 15(4A) and 44(2A) of the 1991 Act, inserted respectively by sections 14 and 22(3), and section 44(1) of the 1991 Act amended by section 22(2).

(2) The day appointed for the coming into force of section 11 is 15th February 2001.

(3) The day appointed for the coming into force of sections 16 and 17 is 2nd April 2001.

Signed by authority of the Secretary of State for Social Security.

P. Hollis
Parliamentary Under-Secretary of State,
Department of Social Security

18th December 2000

(a) 2000 c. 19.
(b) 1991 c. 48.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force further provisions of the Child Support, Pensions and Social Security Act 2000 which brings into force the Child Support Act 1991 (“the 1991 Act”) as follows.

Article 2(1) commences provisions relating to changes to the child support system in sections 13, 14, 15 and 22(1) to (3) on 31st January 2001. Section 13 inserts a new section 14A into the 1991 Act which makes it a criminal offence to fail to provide information for child support purposes or to provide false information. Section 14 amends section 15 of the 1991 Act with regard to the powers of inspectors.

Section 15 adds to section 26(2) of the 1991 Act further cases where parentage may be presumed, including where the alleged parent refuses to take a scientific test or such a test shows there is no reasonable doubt he is the parent. Section 22(1) to (3) amends section 44 of the 1991 Act to extend the jurisdiction of that Act to non-resident parents who are not habitually resident in the United Kingdom but are in certain types of employment.

Article 2(2) commences section 11 on 15th February 2001. Section 11 inserts a new section 23A into the 1991 Act (“the 1991 Act”) to enable the appeal tribunal to redetermine cases in certain circumstances.

Article 2(3) commences sections 16 and 17 on 2nd April 2001. These sections insert new sections 39A, 40A and 40B into the 1991 Act and amend section 40 of that Act. The provisions give power to magistrates courts in England and Wales, and the sheriff in Scotland, where there has been wilful refusal or culpable neglect to pay child support maintenance, to commit the liable person to prison, or make an order for him to be disqualified from holding or obtaining a driving licence, as they consider appropriate.

The impact on business of the commencement provisions in the Child Support, Pensions and Social Security Act 2000 is detailed in the Regulatory Impact Assessment (as revised) relating to the Child Support, Pensions and Social Security Bill (which was introduced in the House of Commons on 1st December 1999). A copy of that Assessment has been placed in the libraries of both Houses of Parliament and can be obtained from the Department of Social Security, Regulatory Impact Unit, 3rd Floor, Adelphi, 1-11 John Adam Street, London WC2N 6HT.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions have been brought into force by the Child Support, Pensions and Social Security Act 2000 (Commencement No. 1) Order 2000 (S.I. 2000/2666 (C. 74)), the Child Support, Pensions and Social Security Act 2000 (Commencement No. 2) Order 2000 (S.I. 2000/2950 (C. 87)), the Child Support, Pensions and Social Security Act 2000 (Commencement No. 3) Order 2000 (S.I. 2000/2994 (C. 94)) and the Child Support, Pensions and Social Security Act 2000 (Commencement No. 4) Order 2000 (S.I. 2000/3166 (C. 101)).

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
* (a) Section 1(3)	10th November 2000	2000/2994
*Sections 3 to 5	10th November 2000	2000/2994
*Section 6	10th November 2000	2000/2994
*Section 7	10th November 2000	2000/2994
	1st January 2001	2000/2994
*Section 9 and 10	10th November 2000	2000/2994
*Sections 16 to 21	10th November 2000	2000/2994
*Section 22(3)	10th November 2000	2000/2994
*Section 25	10th November 2000	2000/2994
*Section 26	10th November 2000	2000/2994
	1st January 2001	2000/2994
Section 27	10th November 2000	2000/2994
	1st January 2001	2000/2994
Section 29	10th November 2000	2000/2994
*Sections 30 to 35	8th January 2001	2000/2950
Section 36	1st November 2000	2000/2950
Section 37	1st December 2000	2000/3166
Section 40	8th January 2001	2000/3166
Section 41	29th September 2000	2000/2666
Section 42	1st December 2000	2000/3166
	1st January 2001	2000/3166
Section 51	1st December 2000	2000/3166
Section 52	1st January 2001	2000/3166
Section 53	1st December 2000	2000/3166
*Section 56	1st November 2000	2000/2950
Sections 57 & 58	15th November 2000	2000/2994
	9th April 2001	2000/2994
Section 59	1st January 2001	2000/2994
Section 60	9th April 2001	2000/2994
Section 61	1st January 2001	2000/2994
*Sections 62 to 65	1st December 2000	2000/2950
*Section 67	1st November 2000	2000/2950
*Section 68	1st November 2000	2000/2950
*Section 69	1st November 2000	2000/2950

(a) In this note an asterisk indicates that the provisions in the entry to which it relates has or have been commenced in part only.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
*Section 71	1st November 2000	2000/2950
Section 72	9th October 2000	2000/2666
Section 73	1st November 2000	2000/2950
	1st December 2000	2000/2950
*Schedule 1	10th November 2000	2000/2994
*Schedule 2	10th November 2000	2000/2994
Schedule 3—		
paragraph 11(17)	1st January 2001	2000/2994
*paragraph 11(18)	10th November 2000	2000/2994
*Schedule 4	8th January 2001	2000/2950
Schedule 5—		
Part I—		
Paragraphs 1 to 3, 7, 8(2), 9 and 12(1)	1st January 2001	2000/3166
paragraph 10	1st November 2000	2000/2950
*Part II	12th February 2001	2000/3166
	1st June 2001	2000/3166
Schedule 6—		
paragraph 1	1st November 2000	2000/2950
paragraph 7	1st November 2000	2000/2950
paragraph 8	1st November 2000	2000/2950
Schedule 7—		
*paragraphs 1, 3, 4, 6, 8 to 10, 12 to 16, 19, 20, 21 and 23	1st November 2000	2000/2950
Schedule 9—		
Part III, sections (3) and (4) to (9)	1st January 2001	2000/3166
Part IV	9th April 2001	2000/2994

£1.75

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E2260 12/2000 571388 19585

ISBN 0-11-018985-X



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