
STATUTORY INSTRUMENTS

2014 No. 612

The Child Support Fees Regulations 2014

PART 5

Miscellaneous

Collection and enforcement of fees

- 13.**—(1) Subject to paragraph (2), the provisions of the 1991 Act with respect to—
- (a) the collection of child support maintenance;
 - (b) the enforcement of any obligation to pay child support maintenance,

shall apply equally to the collection and enforcement of fees payable by virtue of one or both of Parts 3 and 4 of these Regulations.

(2) The following provisions of the 1991 Act do not apply where those provisions would be used solely to enforce payment of a fee payable by virtue of one or both of Parts 3 and 4—

- (a) section 39A (commitment to prison and disqualification from driving) ^{M1};
- [^{F1}(aa) section 39B(disqualification for holding or obtaining travel authorisation);
- (ab) section 39G (application of sections 39B and 39F to Scotland);]
- (b) section 40 (commitment to prison) ^{M2};
- (c) section 40A (commitment to prison: Scotland) ^{M3}; and
- (d) section 40B (disqualification from driving: further provisions) ^{M4}.

Textual Amendments

- F1** [Reg. 13\(2\)\(aa\)-\(ab\)](#) inserted (13.12.2018) by [The Child Support \(Miscellaneous Amendments\) Regulations 2018 \(S.I. 2018/1279\)](#), regs. 1(2), **6(2)**

Marginal Citations

- M1** Section 39A of the [Child Support Act 1991 \(c. 48\)](#) was inserted by section 16 of the [Child Support, Pensions and Social Security Act 2000 \(c. 19\)](#) (“the 2000 Act”).
- M2** Section 40 of the 1991 Act was amended by sections 16(2), 17(1) and 85 of, and Part 1 of Schedule 9 to, the 2000 Act.
- M3** Section 40A of the 1991 Act was inserted by section 17 of the 2000 Act.
- M4** Section 40B of the 1991 Act was inserted by section 16 of the 2000 Act.

Amendments to the Social Security (Claims and Payments) Regulations 1987

14.—(1) Schedule 9B (deductions from benefits in respect of child support maintenance and payment to persons with care) to the Social Security (Claims and Payments) Regulations 1987 ^{M5} is amended as follows.

- (2) In paragraph 1 (interpretation), after the definition of “beneficiary” insert—
 ““fee” means any collection fee under Part 3 of the Child Support Fees Regulations 2014 which is payable by the non-resident parent.”.
- (3) In paragraph 2 (deductions)—
- (a) in sub-paragraph (1) ^{M6}—
 - (i) after “an amount equal to the amount of maintenance” insert “ and any fee ”;
 - (ii) after “of the liability to pay maintenance” insert “ , and retain any amount deducted in discharge of any liability to pay a fee ”;
 - (b) in sub-paragraph (2) after “A deduction” insert “ for maintenance and fees ”.
- (4) In sub-paragraph (1) of paragraph 3 (arrears) ^{M7} —
- (a) for £1 substitute “£1.20”;
 - (b) after “the beneficiary's liability to pay arrears of maintenance” insert “ , and retain any amount deducted in discharge of any liability to pay a fee ”;
- (5) In paragraph 4 (apportionment), after “the amount deducted” insert “ in respect of maintenance ”.
- (6) In sub-paragraph (2) of paragraph 5 (flat rate maintenance) ^{M8}—
- (a) before the words “may be deducted” insert “ and any fee ”;
 - (b) after “both partners' liability to pay maintenance” insert “ and any fee ”;
 - (c) after “of the respective liabilities to pay maintenance” insert “ or retained in discharge of any liability to pay a fee ”.
- (7) In sub-paragraph (2) of paragraph 6 (flat rate maintenance (polygamous marriage)) ^{M9}—
- (a) before the words “may be deducted” insert “ and any fee ”;
 - (b) after “all the members' liability to pay maintenance” insert “ and any fee ”;
 - (c) after “of the respective liabilities to pay maintenance” insert “ or retained in discharge of any liability to pay a fee ”.

Marginal Citations

- M5** [S.I. 1987/1968](#). Schedule 9B was added by [S.I. 2001/18](#).
- M6** Sub-paragraph (1) was amended by [S.I. 2002/3019](#) and 2008/1554.
- M7** Sub-paragraph (1) was amended by [S.I. 2002/3019](#) and 2008/1554.
- M8** Sub-paragraph (2) was amended by [S.I. 2013/1654](#).
- M9** Sub-paragraph (2) was amended by [S.I. 2013/1654](#).

Amendments to the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013

15.—(1) Schedule 7 (deductions from benefit in respect of child support maintenance and payment to persons with care) to the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 ^{M10} is amended as follows.

(2) In paragraph 1 (interpretation), after the definition of “beneficiary” insert—
 ““fee” means any collection fee under Part 3 of the Child Support Fees Regulations 2014 which is payable by the non-resident parent;”

- (3) In paragraph 2 (deductions)—
 - (a) in sub-paragraph (1)—
 - (i) after “an amount equal to the amount of maintenance” insert “ and any fee ”;
 - (ii) after “of the liability to pay maintenance” insert “ , and retain any amount deducted in discharge of any liability to pay a fee ”;
 - (b) in sub-paragraph (2), after “A deduction” insert “ for maintenance and fees ”.
- (4) In sub-paragraph (1) of paragraph 3 (arrears)—
 - (a) for “£1” substitute “ £1.20 ”;
 - (b) after “the beneficiary's liability to pay arrears of maintenance” insert “ , and retain any amount deducted in discharge of any liability to pay a fee ”;
- (5) In paragraph 4 (apportionment), after “the amount deducted” insert “ in respect of maintenance ”.
- (6) In sub-paragraph (2) of paragraph 5 (flat rate maintenance)—
 - (a) after “the flat rate of maintenance” insert “ and any fee ”;
 - (b) after “liability of both partners to pay maintenance” insert “ and any fee ”;
 - (c) after “of the respective liabilities to pay maintenance” insert “ or retained in discharge of any liability to pay a fee ”.

Marginal Citations
M10 [S.I. 2013/380](#).

Changes to legislation:

There are currently no known outstanding effects for the The Child Support Fees Regulations 2014, PART 5.