

CHILD
SUPPORT:
THE
LEGISLATION

COMMENTARY
BY EDWARD JACOBS
AND
GILLIAN DOUGLAS



Sweet & Maxwell

CHILD SUPPORT: THE LEGISLATION

Commentary by

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PREFACE

This book is intended principally to provide guidance on the law and procedure of child support in so far as it concerns Chairmen and Members of Child Support Appeal Tribunals and those who appear before them. It sets out the full text of the legislation which will be applied by those tribunals and gives a commentary on the substantive issues that are within their jurisdiction. It also deals in detail with tribunal procedure, and the commentary to the Child Support Appeal Tribunals (Procedure) Regulations, although in no sense an official guide, will serve the function of a procedure guide until one is published by the Independent Tribunal Service.

There is a limited commentary on other aspects of child support law, including the important interface between the courts and the Child Support Agency and Appeal Tribunals. It is hoped that it will be possible to expand the commentary on these matters in subsequent editions.

It has been possible to incorporate changes into the text at galley proof stage in order to ensure that as far as possible the work represents the law as it will be in force when cases come before tribunals. Any changes in the law which were not available to us on April 30, 1993 will be covered in supplements to the work.

We wish to thank all those who have given of their time and help to improve the quality of this book. In particular we must thank Richard Smithson for his continuing help and support as well as his perceptive comments on procedural aspects. Barrie Stephens and Terry Lynch have selflessly tolerated interruptions to discuss points of law and procedure. Last but not least Jill Thomas has helped with, and relieved the monotony of, the otherwise lonely and tedious task of proof reading.

Child support law is ideally suited to the use of computer packages and we wish to thank Gareth Morgan for allowing us the use of copies of the Cradle Child Support Pocket Assessment System while we were preparing this book.

It must be emphasised that whatever the connection of the authors with the Independent Tribunal Service, the notes in this book represent their personal opinions. They are in no sense an official statement of ITS policy, still less of the view that will be taken by a tribunal. The function of a tribunal is to apply the law as it stands to the cases before it and our views on what the law is or should be will carry no more weight than those of the individual members of the tribunal or of those who argue cases before them.

Finally we invite constructive suggestions for improvement or for points to be dealt with in the notes. They may be addressed to either author and, although not acknowledged, will be gratefully received and carefully considered.

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the Act	Child Support Act 1991
Amendment Regulations	Child Support (Miscellaneous Amendments) Regulations 1993
Arrears, Interest and Adjustment of Maintenance Assessments Regulations	Child Support (Arrears, Interest and Adjustment of Maintenance Assessments) Regulations 1992
Bonner	D. Bonner, R. White and I. Hooker, <i>Non-Means Tested Benefits – The Legislation</i> , Sweet & Maxwell
Collection and Enforcement Regulations	Child Support (Collection and Enforcement) Regulations 1992
Collection and Enforcement of Other Forms of Maintenance Regulations	Child Support (Collection and Enforcement of Other Forms of Maintenance) Regulations 1992
CSAT	Child Support Appeal Tribunal
Income Support Schedule	Schedule 2 to the Income Support (General) Regulations 1987
Information, Evidence and Disclosure Regulations	Child Support (Information, Evidence and Disclosure) Regulations 1992
Maintenance Assessment Procedure Regulations	Child Support (Maintenance Assessment Procedure) Regulations 1992
Maintenance Assessments and Special Cases Regulations	Child Support (Maintenance Assessments and Special Cases) Regulations 1992
Meshner	J. Meshner, <i>Income Related Benefits – The Legislation</i> , Sweet & Maxwell
Society security tribunals	Social Security Appeal Tribunals, Disability Appeal Tribunals and Medical Appeal Tribunals
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