CHANGES TO DEDUCTIONS FOR CSM AND ARREARS OF CSM

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INTRODUCTION

1. This Memo provides guidance on the Child Support (Miscellaneous Amendments) Regulations 2019 (SI 2019/1084). The relevant parts of these regulations come into force on 4.7.19¹.

¹ CS (Misc Amdts) Regs 2019, reg 1(3)

BACKGROUND

2. Prior to 4.7.19, deductions for CSM could not be made from the NRP’s award of UC if they had any earned income. The regulations remove that restriction¹.

¹ UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 1; CS (Misc Amdts) Regs 2019, reg 8(2)(b)

3. Prior to 4.7.19, deductions for arrears of CSM could not be made from UC, or from ESA or JSA where the claimant also had an award of UC. The regulations remove those restrictions² and increase the amount that can be deducted for arrears of CSM².

² UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 3(1); CS (Misc Amdts) Regs 2019, reg 8(3)(a)(i) & (iv); CS (Misc Amdts) Regs 2019 reg 8(3)(a)(ii)
DEDUCTIONS FOR CSM FROM 4.7.19

4. Where CMG determine that the NRP is liable to pay CSM at a flat rate, a deduction of £8.40 a week may be made from their award of ESA or JSA or UC.  

1 UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 2(1)

DEDUCTIONS FOR ARREARS OF CSM FROM 4.7.19

5. Where the NRP is liable to pay arrears of CSM, a deduction of £8.40 per week may be made from the NRP’s award of ESA or JSA or UC.  

1 UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 3(1)

LIMITATIONS ON DEDUCTIONS

6. No deduction may be made for arrears of CSM if the NRP is liable to pay CSM. However, deductions for arrears can commence once liability for CSM has ended.  

1 UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 3(1A)

7. No amount may be deducted for CSM or arrears of CSM from an award of ESA or JSA if it would reduce the amount payable to the claimant to less than 10 pence.  

1 UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 2(3)

8. No amount may be deducted for CSM or arrears of CSM from an award of UC if it would reduce the amount payable to the claimant to less than 1 penny.  

1 UC, PIP, JSA & ESA (C&P) Regs, Sch 7, para 2(4)

ANNOTATIONS

Please annotate the number of this Memo (Memo ADM 12/19) against the heading of ADM paragraph D3020.

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo 7/19 Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: July 2019