

# 01-24 - THE CHILD SUPPORT (MANAGEMENT OF PAYMENTS AND ARREARS AND FEES) (AMENDMENT) REGULATIONS 2024

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## INTRODUCTION

1. This memo gives guidance on The Child Support (Management of Payments and Arrears and Fees) (Amendment) Regulations 2024<sup>1</sup> (CS (MPA)(CFS)(Amendment) Regs 24) which came into force on 26.2.24.

*1 [SI 2024 No 87](#)*

## BACKGROUND

2. These regulations<sup>1</sup> amend the child support (MPA) to include further provisions for extinguishing a Child Support liability. In addition to amend CFS Regulation to remove the application fee.

*1 [CS \(MPA\)\(CFS\)\(Amendment\) Regs 24](#)*

## ARREARS WRITE OFF

3. For the purpose of whether the Secretary of State may consider extinguishing a liability<sup>1</sup>, arrears of less than £7 is to be included in the list of circumstances<sup>2</sup> at paragraph [63002](#). For further information on arrears write off in general see [Chapter 63](#) (Arrears write off).

*1 CS (MPA) Regs 2009, regs 13G; 2 CS (MPA)(CFS)(Amendment) Regs 24 reg 4*

4. The Secretary of State may consider extinguishing a liability where

- 1.** the arrears relate to a liability accrued under a 2012 scheme and the arrears are less than £7 **and**
- 2.** the NRP has failed to make any payments within the 3-month period prior to the decision **and**
- 3.** any person who requested a maintenance calculation requests the Secretary of State to cease acting<sup>1</sup>  
**or**
- 4.** in Scotland, the child who has made the application, but not the PWC, requests the Secretary of State to cease action<sup>2</sup> **or**
- 5.** the maintenance calculation has been terminated<sup>3</sup> due to
  - 5.1** the death of the NRP or the PWC **or**
  - 5.2** there no longer being any QC **or**
  - 5.3** the NRP with respect to whom it was made ceasing to be a parent of the QC or where it was made with respect to more than one QC, all QC with respect to whom it was made **or**
- 6.** the Secretary of State does not have jurisdiction to make a maintenance calculation due to a PWC, NRP or QC not being habitually resident in the United Kingdom<sup>4</sup>.

*1 [CS Act 1991 s 4\(5\) & \(6\)](#); 2 [CS Act 1991 s 7\(6\)&\(7\)](#);*

*3 [CS Act 1991 Sch 16\(1\)](#); 4 [CS Act 1991 s 44](#)*

## APPLICATION FEE

5. The £20 application fee is to be removed in all circumstances<sup>1</sup>. See [Chapter 16](#) (Charging and Application fees) for further guidance.

*1 CSF Regs 2014, reg 3(1)*

## ANNOTATIONS

Please annotate the number of this memo (CMDMG Memo 01-24) against the following paragraph CMDMG [63002](#), [65001](#), [16001](#) to [16021](#).

## 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 [4/19](#) Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: March 2024

**The content of the examples in this document (including use of imagery) is for illustrative purposes only.**