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**Changes to legislation:** There are currently no known outstanding effects for the Child Maintenance and Other Payments Act 2008, Cross Heading: Shared care. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 4

#### CHANGES TO THE CALCULATION OF MAINTENANCE

##### *Shared care*

- 6 In paragraph 7(2) (circumstances in which decrease for shared care applies in cases where child support maintenance is payable at the basic rate or a reduced rate), for “If the care of a qualifying child is shared” substitute “ If the care of a qualifying child is, or is to be, shared ”.

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##### **Commencement Information**

- I1** Sch. 4 para. 6 partly in force; Sch. 4 para. 6 not in force at Royal Assent see s. 62; Sch. 4 para. 6 in force for certain purposes at 10/12/2012 by S.I. 2012/3042, art. 2(b)
- I2** Sch. 4 para. 6 in force at 29.7.2013 for specified purposes by S.I. 2013/1860, arts. 2(b), 3 (with arts. 5, 7) (as amended (24.6.2014) by S.I. 2014/1635, art. 7)
- I3** Sch. 4 para. 6 in force at 25.11.2013 in so far as not already in force by S.I. 2013/2947, art. 2(a) (with arts. 3-5)

- 7 In paragraph 8(2) (circumstances in which decrease for shared care applies in cases where child support maintenance payable at a flat rate), for “If the care of a qualifying child is shared” substitute “ If the care of a qualifying child is, or is to be, shared ”.

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##### **Commencement Information**

- I4** Sch. 4 para. 7 partly in force; Sch. 4 para. 7 not in force at Royal Assent see s. 62; Sch. 4 para. 7 in force for certain purposes at 8.10.12 by S.I. 2012/2523, art. 2(2)(b); Sch. 4 para. 7 in force for certain further purposes at 10.12.2012 by S.I. 2012/3042, art. 2(b)
- I5** Sch. 4 para. 7 in force at 29.7.2013 for specified purposes by S.I. 2013/1860, arts. 2(b), 3 (with arts. 5, 7) (as amended (24.6.2014) by S.I. 2014/1635, art. 7)
- I6** Sch. 4 para. 7 in force at 25.11.2013 in so far as not already in force by S.I. 2013/2947, art. 2(a) (with arts. 3-5)

- 8 (1) In paragraph 9 (regulations about shared care), the existing provision becomes sub-paragraph (1).
- (2) In that sub-paragraph, before paragraph (a) insert—
- “(za) for how it is to be determined whether the care of a qualifying child is to be shared as mentioned in paragraph 7(2);”.
- (3) In that sub-paragraph, after paragraph (b) insert—
- “(ba) for how it is to be determined how many nights count for those purposes;”.

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(4) After that sub-paragraph insert—

“(2) Regulations under sub-paragraph (1)(ba) may include provision enabling the [F1Secretary of State] to proceed for a prescribed period on the basis of a prescribed assumption.”

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#### Textual Amendments

**F1** Words in Sch. 4 para. 8(4) substituted (1.8.2012) by The Public Bodies (Child Maintenance and Enforcement Commission: Abolition and Transfer of Functions) Order 2012 (S.I. 2012/2007), art. 3(2), Sch. para. 95(2)

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#### Commencement Information

- I7** Sch. 4 para. 8 partly in force; Sch. 4 para. 8 not in force at Royal Assent see s. 62(3); Sch. 4 para. 8 in force for certain purposes at 8.10.2012 by S.I. 2012/2523, art. 2(b); Sch. 4 para. 8 in force for certain further purposes at 10.12.2012 by S.I. 2012/3042, art. 2(b) (with art. 5)
- I8** Sch. 4 para. 8 in force at 29.7.2013 for specified purposes by S.I. 2013/1860, arts. 2(b), 3 (with arts. 5, 7) (as amended (24.6.2014) by S.I. 2014/1635, art. 7)
- I9** Sch. 4 para. 8 in force at 25.11.2013 in so far as not already in force by S.I. 2013/2947, art. 2(a) (with arts. 3-5)

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