

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Welfare Reform Act 2009, Paragraph 5 is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

PROSPECTIVE

SCHEDULE 5

SECTION 51: CONSEQUENTIAL AMENDMENTS ETC.

Child Support Act 1991 (c. 48)

- 5 (1) Section 39E (variation and revocation of orders following payment) is amended as follows.
- (2) In subsection (1)—
- (a) for “an order under section 39B” substitute “ a disqualification order ”,
 - (b) for “court” substitute “ [F¹Secretary of State] ”,
 - (c) omit “the [F¹Secretary of State] or”, and
 - (d) in paragraphs (a) and (b), for “the order under section 39B” substitute “ the disqualification order ”.
- (3) After that subsection insert—
- “(1A) The power conferred by subsection (1) shall be exercisable by the court instead of by the [F²Secretary of State] at any time when an appeal brought under section 39CB against the order has not been determined, withdrawn or discontinued.”
- (4) In subsection (2)—
- (a) for “an order under section 39B” substitute “ a disqualification order ”,
 - (b) for “court” substitute “ [F³Secretary of State] ”,
 - (c) omit “the [F³Secretary of State] or”, and
 - (d) for “the order under section 39B” substitute “ the disqualification order ”.
- (5) Omit subsections (3) to (5).

Textual Amendments

- F1** Words in Sch. 5 para. 5(2)(b)(c) 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. 1(2), [Sch. para. 100\(3\)\(a\)](#)
- F2** Words in Sch. 5 para. 5(3) 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. 1(2), [Sch. para. 100\(3\)\(b\)](#)

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F3 Words in Sch. 5 para. 5(4)(b)(c) 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. 1(2), [Sch. para. 100\(3\)\(c\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- [Sch. 4 para. 9\(3\)\(b\)](#) repealed by [2009 c. 24 Sch. 7 Pt. 1](#)