

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 5

CONSEQUENTIAL MODIFICATIONS TO PRIMARY LEGISLATION

Child Support Act 1991

8.—(1) The Child Support Act 1991(1) is amended as follows.

(2) In Schedule 1(2) (maintenance assessments), as that Schedule has effect otherwise than by virtue of section 1(3) of, and Schedule 1 to, the Child Support, Pensions and Social Security Act 2000(3), in Part 1 (calculation of child support maintenance), in paragraph 6 (protected income)—

(a) in sub-paragraph (5)(b)(4), for sub-paragraphs (i) to (iii) substitute—

“(i) is living together in the same household with another adult who is his or her spouse or civil partner; or

(ii) is living together in the same household with another adult as if they were a married couple.”, and

(b) omit sub-paragraph (5A)(5).

(3) In Schedule 1 (maintenance calculations), as that Schedule has effect by virtue of section 1(3) of, and Schedule 1 to, the Child Support, Pensions and Social Security Act 2000, in Part 1 (calculation of weekly amount of child support maintenance), in paragraph 10C (references to various terms)—

(a) for sub-paragraph (5)(6) substitute—

“(5) In sub-paragraph (4)(a), “couple” means—

(a) two people who are married to, or civil partners of, each other and are members of the same household; or

(b) two people who are not married to, or civil partners of, each other but are living together as a married couple.”, and

(b) omit sub-paragraph (6).

Commencement Information

II Sch. 5 para. 8 in force at 16.12.2014, see [art. 1\(2\)](#)

(1) 1991 c.48.

(2) Schedule 1 was substituted by section 1(3) of, and Schedule 1 to, the Child Support, Pensions and Social Security Act 2000 (c.19) only for specified purposes by S.I. 2000/2994 and 2003/192 and amended by S.I. 2014/560.

(3) 2000 c.19.

(4) Sub-paragraph (5)(b) was substituted by the 2004 Act, Schedule 24, paragraph 4 and amended by S.I. 2014/560.

(5) Paragraph 6(5A) of Schedule 1 was inserted by the Civil Partnership Act 2004, Schedule 24, paragraph 5.

(6) Sub-paragraphs (5) and (6) of paragraph 10C were substituted by the 2004 Act, Schedule 24, paragraph 6 and amended by S.I. 2014/560.

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

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

- art. 6(1A) inserted by [S.I. 2019/1514 reg. 10\(3\)\(b\)](#)