

A guide to Child Maintenance Payments

Although not all separated parents pay maintenance following a CSA assessment, a Solicitor usually advises clients to pay what the CSA would require a client to pay.

How are the payments calculated?

The basic formula is based on a percentage of the non-resident parent's net income as follows:

- 15% of net weekly income for one child;
- 20% for two children; and
- 25% for three or more children.

Net weekly income is gross earnings less income tax, national insurance contributions and pension contributions.

If the non-resident parent lives with other children for whom Child Benefit is received, the net income figure is reduced by 15% for one child, 20% for two and 25% for three or more, before the basic rate percentage is applied. The child does not have to be the non-resident parent's biological child. If the qualifying children stay overnight with the non-resident parent the amount of maintenance is reduced by a seventh per night depending on the average number of nights they stay in a week.

Different rates apply if non-resident parents earn less than £200 per week. High earning non-resident parents have their net earnings capped at £2,000 per week (approximately £170,000 gross per annum). This means that the parent with care will receive no more than £300 per week for one child, £400 per week for two children and £500 per week for three or more. However he or she may apply to the Court for extra maintenance on top in special cases.

The table below illustrates basic maintenance payable before deductions for overnight contact and any other children who live with the non-resident parent.

Non-residential parents income

Gross	£10,000	£25,000	£50,000	£75,000	£100,000	£125,000
Net	£8,500	£18,500	£34,000	£49,500	£64,500	£100,000

Weekly Maintenance Payment

1 Child	£25	£53	£100	£143	£186	£231
2 Children	£33	£71	£133	£190	£248	£308
3 or more children	£41	£89	£166	£238	£310	£385

Is there anything that I can do to avoid the CSA?

If parents negotiate a financial settlement in divorce proceedings it is possible to include an agreed figure for child maintenance in an Order to be approved by the Court. In the first year that figure can only be altered if one of the parties applies to the Court to vary it, unless the parent with care receives state benefits and the CSA automatically becomes involved. After one year either party is free to opt out of the Court order and apply to the CSA instead.

It is not possible to prevent the involvement of the CSA if the child's parents are unmarried, and one party applies to the CSA for an assessment. The best thing to do if you wish to minimise CSA involvement in these circumstances is to agree a level of maintenance with your ex-partner directly, but if they claim certain state benefits the CSA will become involved automatically.

To avoid any confusion always seek advice about your individual circumstances from an experienced family lawyer.



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