

A Butcher

Our Ref. VTR 1572

[request-16622-
xxxxxxxx@xxxxxxxxxxxxxxx.xxx](#)

Date: 8 September 2009

Dear A Butcher,

Thank you for your Freedom of Information request dated 8 August 2009. Your request has been considered under the terms of the Freedom of Information Act 2000 (FOIA). Please find below a copy of your request together with a corresponding response.

Request

- 1. If an NRP informs the CSA of becoming non-resident does the NRP legally have to give details of his address abroad (if possible). If your answer is yes please provide a law definition or reference for clarification.*
- 2. If an NRP becomes non resident in the UK and has informed them so, is it legal for the CSA\CMC to continue to use laws which only apply to UK residents. I.e to continue to seek Liability Orders through court and other CSA debt recovery tactics. Again, please provide law definitions or references showing the legality of applying CSA\CMC UK laws to non UK residents.*
- 3. Under what circumstance will the CSA keep a CSA case open when an NRP moves abroad and what purpose does this serve if the CSA no longer has jurisdiction over them.*
- 4. Please provide a legal definition or reference which allows the CSA\CMC to keep a case open when they are aware of a NRP's permanent departure from the United Kingdom.*
- 5. Under what law do you hold information and data files about an NRP when they have permanently emigrated abroad. Please provide a law definition.*

Response

The Child Maintenance and Enforcement Commission took over responsibility for the Child Support Agency on 1 November 2008.

We cannot provide specific responses to the questions you have raised under this request. The FOIA provides for a general right of access to recorded information

held by public authorities. It does not extend to information about the law or for the provision of legal advice.

Furthermore, section 21 of the FOIA provides an exemption to the requirement on public bodies to provide information, where that information that is readily accessible within the public domain. Child support legislation is available on the Department for Work and Pensions' website at:

<http://www.dwp.gov.uk/publications/specialist-guides/law-volumes/the-law-relating-to-child-support/>

In relation to those points which are requests for legal advice, it is not within the Commission's remit to provide legal advice, and is not a requirement under the FOIA.

I am sorry I could not be more helpful on this occasion. If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

**Child Maintenance and Enforcement Commission
Freedom of Information Act Focal Point**

Your right to complain under the Freedom of Information Act

If you are not happy with this response you may request an internal review by e-mailing FOI.FocalPoint@childmaintenance.gsi.gov.uk or by writing to Child Maintenance and Enforcement Commission, Freedom of Information Act Focal Point, PO Box 61791, London, SW1P 9NT. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.gov.uk