

SCHEDULES

SCHEDULE 1

FINANCIAL PROVISION FOR CHILDREN

Orders for financial relief against parents

2.—(1) On an application made by a parent or guardian of a child, or by any person in whose favour a residence order is in force with respect to a child, the court may—

- (a) if it is the High Court or a county court, make one or more of the orders mentioned in sub#paragraph (2);
- (b) if it is a court of summary jurisdiction, make one or both of the orders mentioned in heads (a) and (c) of that sub-paragraph.

(2) The orders referred to in sub-paragraph (1) are—

- (a) an order requiring either or both parents of a child—
 - (i) to make to the applicant for the benefit of the child; or
 - (ii) to make to the child himself,such periodical payments, for such term, as may be specified in the order;
- (b) an order requiring either or both parents of a child—
 - (i) to secure to the applicant for the benefit of the child; or
 - (ii) to secure to the child himself,such periodical payments, for such term, as may be so specified;
- (c) an order requiring either or both parents of a child—
 - (i) to pay to the applicant for the benefit of the child; or
 - (ii) to pay to the child himself,such lump sum as may be so specified;
- (d) an order requiring a settlement to be made for the benefit of the child, and to the satisfaction of the court, of property—
 - (i) to which either parent is entitled (either in possession or in reversion); and
 - (ii) which is specified in the order;
- (e) an order requiring either or both parents of a child—
 - (i) to transfer to the applicant, for the benefit of the child; or
 - (ii) to transfer to the child himself,such property to which the parent is, or the parents are, entitled (either in possession or in reversion) as may be specified in the order.

(3) The powers conferred by this paragraph may be exercised at any time.

(4) An order under sub-paragraph (2)(a) or (b) may be varied or discharged by a subsequent order made on the application of any person by or to whom payments were required to be made under the previous order.

Status: Point in time view as at 01/04/2024.

Changes to legislation: The Children (Northern Ireland) Order 1995, Paragraph 2 is up to date with all changes known to be in force on or before 29 June 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)

- (5) Where a court makes an order under this paragraph—
- (a) it may at any time make a further such order under sub-paragraph (2)(a), (b) or (c) with respect to the child concerned if he has not reached the age of 18;
 - (b) it may not make more than one order under sub-paragraph (2)(d) or (e) against the same person in respect of the same child.
- (6) On making, varying or discharging a residence order the court may exercise any of its powers under this Schedule even though no application has been made to it under this Schedule.
- (7) Where a child is a ward of court, the High Court may exercise any of its powers under this Schedule even though no application has been made to it.

Status:

Point in time view as at 01/04/2024.

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