
Changes to legislation: Children Act 1989, Cross Heading: Orders for financial relief for persons over eighteen is up to date with all changes known to be in force on or before 24 April 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

SCHEDULE 1

FINANCIAL PROVISION FOR CHILDREN

Orders for financial relief for persons over eighteen

- 2 (1) If, on an application by a person who has reached the age of eighteen, it appears to the court—
- (a) that the applicant is, will be or (if an order were made under this paragraph) would be receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not while in gainful employment; or
 - (b) that there are special circumstances which justify the making of an order under this paragraph,
- the court may make one or both of the orders mentioned in sub-paragraph (2).
- (2) The orders are—
- (a) an order requiring either or both of the applicant’s parents to pay to the applicant such periodical payments, for such term, as may be specified in the order;
 - (b) an order requiring either or both of the applicant’s parents to pay to the applicant such lump sum as may be so specified.
- (3) An application may not be made under this paragraph by any person if, immediately before he reached the age of sixteen, a periodical payments order was in force with respect to him.
- (4) No order shall be made under this paragraph at a time when the parents of the applicant are living with each other in the same household.
- (5) An order under sub-paragraph (2)(a) 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.
- (6) In sub-paragraph (3) “periodical payments order” means an order made under—
- (a) this Schedule;
 - ^{F1}(b)
 - (c) section 23 or 27 of the ^{M1}Matrimonial Causes Act 1973;
 - (d) Part I of the ^{M2}Domestic Proceedings and Magistrates’ Courts Act 1978,
 - ^{F2}(e) Part 1 or 9 of Schedule 5 to the Civil Partnership Act 2004 (financial relief in the High Court or a county court etc.);
 - (f) Schedule 6 to the 2004 Act (financial relief in the magistrates’ courts etc.),]
- for the making or securing of periodical payments.
- (7) The powers conferred by this paragraph shall be exercisable at any time.

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(8) Where the court makes an order under this paragraph it may from time to time while that order remains in force make a further such order.

Textual Amendments

- F1** [Sch. 1 para. 2\(6\)\(b\)](#) repealed (25.07.1991) by [Child Support Act 1991 \(c. 48, SIF 20\)](#), [s. 58\(2\)\(14\)](#) (with saving in [s. 9\(2\)](#))
- F2** [Sch. 1 para. 2\(6\)\(e\)\(f\)](#) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), [s. 78\(2\)](#); [S.I. 2005/3175](#), [art. 2\(1\)](#), [Sch. 1](#)

Commencement Information

- I1** [Sch. 1 para. 2](#) wholly in force at 14.10.1991 see [s. 108\(2\)\(3\)](#) and [S.I. 1991/828](#), [art. 3\(2\)](#)

Marginal Citations

- M1** [1973 c. 18](#).
- M2** [1978 c. 22](#).

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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):

- s. 4(1A)(aa) inserted by 2009 c. 24 Sch. 6 para. 21(3)
- s. 4(1C) inserted by 2009 c. 24 Sch. 6 para. 21(4)
- s. 4ZA(2)(aa) inserted by 2009 c. 24 Sch. 6 para. 22(3)
- s. 4ZA(3A) inserted by 2009 c. 24 Sch. 6 para. 22(4)
- s. 8(4)(k) inserted by 2021 c. 17 s. 52(1)
- s. 31A(4A) inserted by 2014 c. 6 s. 15(2)(b)