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STATUTORY INSTRUMENTS

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**1991 No. 2671**

**The Rules of the Supreme Court (Amendment No. 4) 1991**

**Appointment of guardian of a child's estate**

6. After Order 80, rule 12, there shall be inserted the following new rule<sup>(1)</sup>—

**“Appointment of guardian of child's estate**

**13.**—(1) In any of the circumstances described in paragraph (2)(a) to (e) the Court may appoint the Official Solicitor to be a guardian of the estate of a child provided that—

- (a) the appointment is to subsist only until the child reaches the age of eighteen, and
- (b) the consent of the persons with paternal responsibility for the child (within the meaning of section 3 to the Children Act 1989<sup>(2)</sup>)—
  - (i) has been signified to the Court, or
  - (ii) in the opinion of the Court, cannot be obtained or may be dispensed with.

(2) The circumstances referred to in paragraph (1) are:

- (a) where money is paid into court on behalf of the child in accordance with directions given under rule 12(2) (Control of money recovered by person under disability);
- (b) where the Criminal Injuries Compensation Board notifies the Court that it has made or intends to make an award to the child either under section 111 of the Criminal Justice Act 1988<sup>(3)</sup> or otherwise;
- (c) where a court or tribunal outside England and Wales notifies the Court that it has ordered or intends to order that money be paid to the child;
- (d) where the child is absolutely entitled to proceeds of a pension fund;
- (e) where such an appointment seems desirable to the Court.”.

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<sup>(1)</sup> The former Order 80, rule 13 was revoked by S.I.1986/632.  
<sup>(2)</sup> 1989 c. 41.  
<sup>(3)</sup> 1988 c. 33.