

SCHEDULES

SCHEDULE 15

FINANCIAL RELIEF IN THE HIGH COURT OR A COUNTY COURT ETC.: NORTHERN IRELAND

PART 10

VARIATION, DISCHARGE ETC. OF CERTAIN ORDERS FOR FINANCIAL RELIEF

Variation etc. of periodical or secured periodical payments orders made in cases of failure to maintain

- 48 (1) An application for the variation under paragraph 46 of a periodical payments order or secured periodical payments order made under Part 8 in favour of a child may, if the child has reached 16, be made by the child himself.
- (2) Sub-paragraph (3) applies if a periodical payments order made in favour of a child under Part 8 ceases to have effect—
- (a) on the date on which the child reaches 16, or
 - (b) at any time after that date but before or on the date on which the child reaches 18.
- (3) If, on an application made to the court for an order under this sub-paragraph, it appears to the court that—
- (a) the child is, will be or, if an order were made under this sub-paragraph, would be—
 - (i) receiving instruction at an educational establishment, or
 - (ii) undergoing training for a trade, profession or vocation,whether or not the child also is, will be or would be in gainful employment, or
 - (b) there are special circumstances which justify the making of an order under this sub-paragraph,
- the court may by order revive the order mentioned in sub-paragraph (2) from a date specified by it.
- (4) The date specified under sub-paragraph (3) must not be earlier than the date of the application under that sub-paragraph.
- (5) If under sub-paragraph (3) the court revives an order it may exercise its power under paragraph 46 in relation to the revived order.