

## SCHEDULES

### SCHEDULE 6

#### FINANCIAL RELIEF IN MAGISTRATES' COURTS ETC.

#### PART 6

#### VARIATION ETC. OF ORDERS

*Matters to which court is to have regard in exercising powers under this Part*

- 34 (1) In exercising the powers conferred by this Part the court must, so far as it appears to the court just to do so, give effect to any agreement which has been reached between the civil partners in relation to the application.
- (2) If—
- (a) there is no such agreement, or
  - (b) if the court decides not to give effect to the agreement,
- the court must have regard to all the circumstances of the case, giving first consideration to the welfare while under 18 of any child of the family who has not reached 18.
- (3) Those circumstances include any change in any of the matters—
- (a) to which the court was required to have regard when making the order to which the application relates, or
  - (b) in the case of an application for the variation or revocation of an order made under Part 2 or on an appeal made by virtue of paragraph 46, to which the court would have been required to have regard if that order had been made under Part 1.