
STATUTORY INSTRUMENTS

2005 No. 1109

The Special Guardianship Regulations 2005

PART 2

SPECIAL GUARDIANSHIP SUPPORT SERVICES

CHAPTER 2

PROVISION OF FINANCIAL SUPPORT

Conditions

10.—(1) Where financial support is to be paid periodically it is not payable until the special guardian or prospective special guardian agrees to the following conditions—

- (a) that he will inform the local authority immediately if—
 - (i) he changes his address;
 - (ii) the child dies;
 - (iii) any of the changes mentioned in regulation 9 (cessation of financial support) occurs;
or
 - (iv) there is a change in his financial circumstances or the financial needs or resources of the child which may affect the amount of financial support payable to him,and, where the information is given orally, to confirm it in writing within seven days;
- (b) that he will complete and supply the local authority with an annual statement as to the following matters—
 - (i) his financial circumstances;
 - (ii) the financial needs and resources of the child;
 - (iii) his address and whether the child still has a home with him.

(2) The local authority may provide financial support subject to any other conditions they consider appropriate, including the timescale within which, and purposes for which, any payment of financial support should be utilised.

(3) Subject to paragraph (4), where any condition imposed in accordance with this regulation is not complied with, the local authority may—

- (a) suspend or terminate payment of financial support; and
- (b) seek to recover all or part of the financial support they have paid.

(4) Where the condition not complied with is a failure to provide an annual statement in accordance with an agreement referred to in paragraph (1), the local authority shall not take any steps under paragraph (3) until—

- (a) they have sent to the person who entered into the agreement a written reminder of the need to provide an annual statement; and
- (b) 28 days have expired since the date on which that reminder was sent.