
STATUTORY INSTRUMENTS

2010 No. 2955

The Family Procedure Rules 2010

PART 9

APPLICATIONS FOR A FINANCIAL REMEDY

CHAPTER 3

APPLICATIONS FOR FINANCIAL REMEDIES FOR CHILDREN

Application by parent, guardian etc for financial remedy in respect of children

- 9.10.**—(1) The following people may apply for a financial remedy in respect of a child—
- (a) a parent, guardian or special guardian of any child of the family;
 - (b) any person in whose favour a residence order has been made with respect to a child of the family, and any applicant for such an order;
 - (c) any other person who is entitled to apply for a residence order with respect to a child;
 - (d) a local authority, where an order has been made under section 31(1)(a) of the 1989 Act placing a child in its care;
 - (e) the Official Solicitor, if appointed the children’s guardian of a child of the family under rule 16.24; and
 - (f) a child of the family who has been given permission to apply for a financial remedy.
- (2) In this rule “residence order” has the meaning given to it by section 8(1) of the 1989 Act.

Children to be separately represented on certain applications

9.11.—(1) Where an application for a financial remedy includes an application for an order for a variation of settlement, the court must, unless it is satisfied that the proposed variation does not adversely affect the rights or interests of any child concerned, direct that the child be separately represented on the application.

(2) On any other application for a financial remedy the court may direct that the child be separately represented on the application.

(3) Where a direction is made under paragraph (1) or (2), the court may if the person to be appointed so consents, appoint—

- (a) a person other than the Official Solicitor; or
- (b) the Official Solicitor,

to be a children’s guardian and rule 16.24(5) and (6) and rules 16.25 to 16.28 apply as appropriate to such an appointment.