

Schedule: C - Forms in civil proceedings

Form: 58.40 Order removing from office a guardian - Guardianship of Infants Act 1964 section 8(6)

S.I. NO. 17 of 2016

No. 58.40

SCHEDULE C
O.58,r.4(11)

Guardianship of Infants Act 1964 section 8(6)

Order removing from office a guardian

District Court Area of

District No.

..... Applicant

..... Respondent

UPON APPLICATION made to the Court on this date by the above-named applicant of in the court (area and) district aforesaid, for order(s) under section 8(6) of the Act in respect of the above-named respondent, of *in court (area and) district aforesaid, guardian

*appointed pursuant to section *6A *6C *7 *8(1) *8(2) of the above-mentioned Act *who holds office by virtue of the circumstances set out in section *2(4) *2(4A) *6B(3) *6B(4) of the above-mentioned Act

*who holds office by virtue of section 6D of the above-mentioned Act of born on, born on (a) child(ren) residing at

THE COURT Being satisfied that notice of the application has been duly served, and that the best interests of the child(ren) require the making of this order,

Being satisfied that

(a) there is another guardian in place or about to be appointed,

(b) it is in the best interests of the said child(ren) that the respondent guardian be removed from office,

(c) for substantial reasons that appear to it to be sufficient, the Court considers it necessary or desirable to do so, and

(d) the respondent guardian who is to be removed from office—

*consents to the removal,

*is unable or unwilling to exercise the powers, responsibilities and entitlements of guardianship in respect of the said child(ren),

*has failed in *his/*her duty towards the said child(ren) to such extent that the safety or welfare of the child(ren) is likely to be prejudicially affected if *he/ *she is not removed from office

HEREBY ORDERS that the respondent be removed from office as guardian of the child(ren),

*(AND APPOINTS of as guardian pursuant to section 8(5) of the Act).

*(AND DIRECTS as follows:—

.....)

Dated this... day of..... 20...

Signed
Judge of the District Court

**Delete inapplicable words.*