

STATUTORY INSTRUMENTS

1980 No. 563

Domestic Proceedings (Northern Ireland) Order 1980

Powers of court to make orders for financial provision for parties to a marriage and children of the family

Powers of court to make orders for financial provision

4.—(1) Where on an application for an order under this Article the applicant satisfies the court of any ground mentioned in Article 3, the court may, subject to the provisions of this Order, make any one or more of the following orders, that is to say—

- (a) an order that the respondent shall make to the applicant such periodical payments, and for such term, as may be specified in the order;
- (b) an order that the respondent shall pay to the applicant such lump sum as may be so specified;
- (c) an order that the respondent shall make to the applicant for the benefit of a child of the family to whom the application relates, or to such a child, such periodical payments, and for such term, as may be so specified;
- (d) an order that the respondent shall pay to the applicant for the benefit of a child of the family to whom the application relates, or to such a child, such lump sum as may be so specified.

(2) Without prejudice to the generality of paragraph (1)(b) or (d), an order under this Article for the payment of a lump sum may be made for the purpose of enabling any liability or expenses reasonably incurred in maintaining the applicant, or any child of the family to whom the application relates, before the making of the order to be met.

(3) ^{F1} The amount of any lump sum required to be paid by an order under this Article shall not exceed^{F2} £1,000] or such larger amount as the Secretary of State may^{F3}, after consultation with the Lord Chief Justice,] by order fix for the purposes of this paragraph.

^{F4}(3A) The Lord Chief Justice may nominate any of the following to exercise his functions under paragraph (3)—

- (a) the holder of one of the offices listed in Schedule 1 to the Justice (Northern Ireland) Act 2002;
- (b) a Lord Justice of Appeal (as defined in section 88 of that Act).]

(4) ^{F1} ^{F5}Any order made under] paragraph (3) shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument, and section 5 of the Statutory Instruments Act 1946 , shall apply accordingly.

F1 functions transf. by 1993 NI 6

F2 SR 1989/323

F3 Words in art. 4(3) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, Sch. 5 para. 60(2); S.I. 2006/1014, art. 2(a), Sch. 1

F4 Art. 4(3A) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, Sch. 5 para. 60(3); S.I. 2006/1014, art. 2(a), Sch. 1

Status: Point in time view as at 03/04/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Domestic Proceedings (Northern Ireland) Order 1980, Section 4. (See end of Document for details)

F5 Words in art. 4(4) substituted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15, 148, Sch. 5 para. 60(4); S.I. 2006/1014, art. 2(a), Sch. 1

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