

**Changes to legislation:** Civil Partnership Act 2004, Paragraph 17 is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 16

#### FINANCIAL RELIEF IN COURT OF SUMMARY JURISDICTION ETC.: NORTHERN IRELAND

##### **Modifications etc. (not altering text)**

- C1** Sch. 16: functions transferred (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 15(1), [Sch. 17 para. 21\(b\)](#) (with arts. 15(6), 28-31)

### PART 3

#### ORDERS OF COURT WHERE CIVIL PARTNERS LIVING APART BY AGREEMENT

##### *Restrictions on orders under this Part*

- 17 The court in the exercise of its powers under this Part must not require—
- (a) the respondent to make payments whose total amount during any period of 3 months exceeds the total amount paid by him for the benefit of—
    - (i) the applicant, or
    - (ii) a child of the family,during the period of 3 months immediately preceding the date of the making of the application;
  - (b) the respondent to make payments to or for the benefit of any person which exceed in amount the payments which the court considers that it would have required the respondent to make to or for the benefit of that person on an application under Part 1;
  - (c) payments to be made to or for the benefit of a child of the family who is not the respondent's child, unless the court considers that it would have made an order in favour of that child on an application under Part 1.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)