

SCHEDULES

SCHEDULE 16

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

PART 5

COMMENCEMENT AND DURATION OF ORDERS UNDER PARTS 1, 2 AND 3

Effect on certain orders of parties living together

- 29 (1) Sub-paragraph (2) applies if periodical payments are required to be made to a civil partner (whether for the civil partner's own benefit or for the benefit of a child of the family)—
- (a) by an order made under Part 1 or 2, or
 - (b) by an interim order made under Part 4 (otherwise than on an application under Part 3).
- (2) The order is enforceable even if—
- (a) the civil partners are living with each other at the date of the making of the order, or
 - (b) if they are not living with each other at that date, they subsequently resume living with each other;
- but the order ceases to have effect if after that date the civil partners continue to live with each other, or resume living with each other, for a continuous period exceeding 6 months.
- (3) Sub-paragraph (4) applies if—
- (a) an order is made under Part 1 or 2 which requires periodical payments to be made to a child of the family, or
 - (b) an interim order is made under Part 4 (otherwise than on an application under Part 3) which requires periodical payments to be made to a child of the family.
- (4) Unless the court otherwise directs, the order continues to have effect and is enforceable even if—
- (a) the civil partners are living with each other at the date of the making of the order, or
 - (b) if they are not living with each other at that date, they subsequently resume living with each other.
- (5) An order made under Part 3, and any interim order made on an application for an order under that Part, ceases to have effect if the civil partners resume living with each other.
- (6) If an order made under this Schedule ceases to have effect under—

Status: This is the original version (as it was originally enacted).

- (a) sub-paragraph (2) or (5), or
- (b) a direction given under sub-paragraph (4),

the court may, on an application made by either civil partner, make an order declaring that the order ceased to have effect from such date as the court may specify.

- (7) If an order made under this Schedule ceases to have effect under sub-paragraph (2) or (5), the civil partners shall give notice of that fact to the court straight away.