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**Changes to legislation:** Civil Partnership Act 2004, Cross Heading: Powers of court where civil partners are living apart by agreement is up to date with all changes known to be in force on or before 23 April 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

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## SCHEDULES

### SCHEDULE 16

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

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**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

##### *Powers of court where civil partners are living apart by agreement*

- 15 (1) If—
- (a) the civil partners have been living apart for a continuous period exceeding 3 months, neither civil partner having deserted the other, and
  - (b) one of the civil partners has been making periodical payments for the benefit of the other civil partner or of a child of the family,
- the other civil partner may apply to the court for an order under this Part.
- (2) An application made under sub-paragraph (1) must specify the total amount of the payments made by the respondent during the period of 3 months immediately preceding the date of the making of the application.
- (3) If on an application for an order under this Part the court is satisfied that the respondent has made the payments specified in the application, the court may make one or both of the orders set out in paragraph 16.
- (4) Sub-paragraph (3) is subject to the provisions of this Schedule.

**Changes to legislation:**

Civil Partnership Act 2004, Cross Heading: Powers of court where civil partners are living apart by agreement is up to date with all changes known to be in force on or before 23 April 2024.

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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\(2\)](#)