

SCHEDULES

SCHEDULE 17

FINANCIAL RELIEF IN NORTHERN IRELAND AFTER OVERSEAS DISSOLUTION ETC. OF A CIVIL PARTNERSHIP

PART 1

FINANCIAL RELIEF

Presumptions for the purposes of paragraph 15

- 16 (1) Sub-paragraph (3) applies where—
- (a) an application is made under paragraph 15(2) or (3) by one of the civil partners with respect to—
 - (i) a disposition which took place less than 3 years before the date of the application, or
 - (ii) a disposition or other dealing with property which is about to take place, and
 - (b) the court is satisfied that the disposition or other dealing would (apart from paragraph 15 and this paragraph of this Schedule) have the consequence of defeating a claim by the applicant.
- (2) Sub-paragraph (3) also applies where—
- (a) an application is made under paragraph 15(4) by one of the civil partners with respect to a disposition which took place less than 3 years before the date of the application, and
 - (b) the court is satisfied that the disposition has had the consequence of defeating a claim by the applicant.
- (3) It shall be presumed, unless the contrary is shown, that the person who—
- (a) disposed of, or
 - (b) is about to dispose of or deal with the property,
- did so, or (as the case may be) is about to do so, with the intention of defeating the applicant's claim.
- (4) A reference in this paragraph to defeating a claim by one of the civil partners has the meaning given by paragraph 15(9).