

**Changes to legislation:** Civil Partnership Act 2004, Cross Heading: Application to orders under paragraphs 5 and 9 of provisions of Schedule 15 is up to date with all changes known to be in force on or before 11 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 17

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

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

- C1** Sch. 17: 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 1

#### FINANCIAL RELIEF

##### *Application to orders under paragraphs 5 and 9 of provisions of Schedule 15*

- 14 (1) The following provisions of Schedule 15 apply in relation to an order made under paragraph 5 or 9 of this Schedule as they apply in relation to a like order made under that Schedule—
- (a) paragraph 3(1) to (3) and (7) (lump sums);
  - (b) paragraphs 12, 13 and 14(2) to (4) (pension sharing);
  - [<sup>F1</sup>(ba) paragraphs 14C, 14D and 14E(2) to (4) (pension compensation sharing);]
  - (c) paragraphs 20 and 21 (orders under Part 1 relating to pensions);
  - (d) paragraphs 26 to [<sup>F2</sup>29 and 30 to 32] (orders under Part 1 relating to pensions where Board has assumed responsibility for scheme);
  - [<sup>F3</sup>(da) paragraph 29A (orders under Part 1 relating to pension compensation attachment);]
  - (e) paragraphs 42(1) to (4) and (6) and 44 (duration of orders);
  - (f) paragraphs 45 to 47, and 50 to 55, except paragraph 45(1)(g) (variation etc. of orders);
  - (g) paragraphs 56 to 58 (arrear and repayments);
  - (h) paragraphs 71 to [<sup>F4</sup>74A] (drafting of instruments, bankruptcy, mental disorder, [<sup>F5</sup>pension-sharing appeals and pension compensation-sharing appeals]).
- (2) Sub-paragraph (1)(d) [<sup>F6</sup>and (da)] does not apply where the court has jurisdiction to entertain an application for an order under paragraph 9 only because a dwelling-house which was a civil partnership home of the civil partners is situated in Northern Ireland.
- (3) Paragraph 22 of Schedule 15 (change of pension arrangement under which rights are shared) applies in relation to an order made under paragraph 9 of this Schedule

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by virtue of sub-paragraph (1)(d) as it applies to an order made under Part 1 of Schedule 15 by virtue of paragraph 20 or 21 of that Schedule.

- (4) The Lord Chancellor may by regulations make for the purposes of this Schedule provision corresponding to any provision which may be made by him under paragraph 23(1) to (3) of Schedule 15 (supplementary provision about orders relating to pensions under Part 1 of that Schedule) [<sup>F7</sup>or under paragraphs 29B to 31 of that Schedule (supplementary provision about orders relating to pension compensation)].
- (5) The power to make regulations under this paragraph is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)).
- (6) Regulations under this paragraph are subject to [<sup>F8</sup>negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954].

#### Textual Amendments

- F1** Sch. 17 para. 14(1)(ba) inserted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(4)(a)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F2** Words in Sch. 17 para. 14(1)(d) substituted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(4)(b)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F3** Sch. 17 para. 14(1)(da) inserted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(4)(c)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F4** Word in Sch. 17 para. 14(1)(h) substituted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(4)(d)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F5** Words in Sch. 17 para. 14(1)(h) substituted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(4)(e)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F6** Words in Sch. 17 para. 14(2) inserted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(2)(f)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F7** Words in Sch. 17 para. 14(4) inserted (6.4.2011) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), ss. 98, 118, **Sch. 5 para. 20(2)(g)**; S.R. 2011/108, **art. 2(2)**, Sch.
- F8** Words in Sch. 17 para. 14(6) substituted (12.4.2010) by The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976), art. 15(5), **Sch. 18 para. 77** (with arts. 28-31)

#### Commencement Information

- I1** Sch. 17 para. 14 wholly in force at 5.12.2005; Sch. 17 para. 14 not in force at Royal Assent see s. 263; Sch. 17 para. 14(4)-(6) in force for certain purposes at 5.9.2005 by S.I. 2005/2399, **art. 2**, Sch. and Sch. 17 para. 14 in force otherwise at 5.12.2005 by S.I. 2005/3255, **art. 2(1)**, Sch.

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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\(2\)](#)