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**Changes to legislation:** Civil Partnership Act 2004, Cross Heading: Orders etc. to which this Part applies 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

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## SCHEDULES

### SCHEDULE 5

#### [<sup>F1</sup>FINANCIAL RELIEF: PROVISION CORRESPONDING TO PROVISION MADE BY PART 2 OF THE MATRIMONIAL CAUSES ACT 1973]

##### Textual Amendments

- F1** Sch. 5 title substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 177](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

### PART 11

#### VARIATION, DISCHARGE ETC. OF CERTAIN ORDERS FOR FINANCIAL RELIEF

##### *Orders etc. to which this Part applies*

- 50 (1) This Part applies to the following orders—
- (a) a periodical payments order under Part 1 (financial provision on dissolution etc.) or Part 9 (failure to maintain);
  - (b) a secured periodical payments order under Part 1 or 9;
  - (c) an order under Part 8 (maintenance pending outcome of dissolution proceedings etc.);
  - (d) an interim order under Part 9;
  - (e) an order made under Part 1 by virtue of paragraph 3(3) or under Part 9 by virtue of paragraph 42(2) (lump sum by instalments);
  - (f) a deferred order made under Part 1 by virtue of paragraph 2(1)(c) (lump sum for civil partner) which includes provision made by virtue of—
    - (i) paragraph 25(2), <sup>F1</sup> . . .
    - (ii) paragraph 26, <sup>F2</sup> or]
    - <sup>F3</sup>(iii) paragraph 34A(2),](provision in respect of pension rights [<sup>F4</sup> or pension compensation rights]);
  - (g) a property adjustment order made on or after the making of a separation order by virtue of paragraph 7(1)(b), (c) or (d) (order for settlement or variation of settlement);
  - (h) a sale of property order;
  - (i) a pension sharing order [<sup>F5</sup>, or a pension compensation sharing order,] made before the dissolution or nullity order has been made final.
- (2) If the court has made an order referred to in sub-paragraph (1)(f)(ii), this Part ceases to apply to the order on the death of either of the civil partners.

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- (3) The powers exercisable by the court under this Part in relation to an order are also exercisable in relation to any instrument executed in pursuance of the order.

#### Textual Amendments

- F1** Word in Sch. 5 para. 50(1)(f)(i) repealed (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 148, 149, [Sch. 6 para. 18\(2\)\(a\)](#), [Sch. 11 Pt. 4](#); S.I. 2011/664, [art. 2\(3\)](#), Sch. Pt. 2
- F2** Word in Sch. 5 para. 50(1)(f)(ii) inserted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 18\(2\)\(b\)](#); S.I. 2011/664, [art. 2\(3\)](#), Sch. Pt. 2
- F3** Sch. 5 para. 50(1)(f)(iii) inserted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 18\(2\)\(c\)](#); S.I. 2011/664, [art. 2\(3\)](#), Sch. Pt. 2
- F4** Words in Sch. 5 para. 50(1)(f) inserted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 18\(2\)\(d\)](#); S.I. 2011/664, [art. 2\(3\)](#), Sch. Pt. 2
- F5** Words in Sch. 5 para. 50(1)(i) inserted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 18\(3\)](#); S.I. 2011/664, [art. 2\(3\)](#), Sch. Pt. 2

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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\(2\)](#)