

**Changes to legislation:** Civil Partnership Act 2004, Paragraph 9 is up to date with all changes known to be in force on or before 14 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 7

#### FINANCIAL RELIEF IN ENGLAND AND WALES AFTER OVERSEAS DISSOLUTION ETC. OF A CIVIL PARTNERSHIP

#### PART 1

#### FINANCIAL RELIEF

*Orders for financial provision, property adjustment <sup>[F1]</sup>,  
pension sharing and pension compensation sharing*

#### Textual Amendments

**F1** Words in Sch. 7 para. 9 cross-heading substituted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 20\(1\)](#); S.I. 2011/664, [art. 2\(3\)](#), Sch. Pt. 2

- 9 (1) Sub-paragraphs (2) and (3) apply where one of the civil partners has made an application for an order under this paragraph.
- (2) If the civil partnership has been dissolved or annulled, the court may on the application make any one or more of the orders which it could make under Part 1, 2 <sup>[F1]</sup>, 4 or 4A] of Schedule 5 (financial provision, property adjustment <sup>[F2]</sup>, pension sharing and pension compensation sharing) if a dissolution order or nullity order had been made in respect of the civil partnership under Chapter 2 of Part 2 of this Act.
- (3) If the civil partners have been legally separated, the court may on the application make any one or more of the orders which it could make under Part 1 or 2 of Schedule 5 (financial provision and property adjustment) if a separation order had been made in respect of the civil partners under Chapter 2 of Part 2 of this Act.
- (4) Where under sub-paragraph (2) or (3) the court makes—
- (a) an order which, if made under Schedule 5, would be a secured periodical payments order,
  - (b) an order for the payment of a lump sum, or
  - (c) an order which, if made under that Schedule, would be a property adjustment order,
- then, on making that order or at any time afterwards, the court may make any order which it could make under Part 3 of Schedule 5 (sale of property) if the order under sub-paragraph (2) or (3) had been made under that Schedule.
- (5) The powers under sub-paragraphs (2) to (4) are subject to paragraph 11.

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- F2** Words in Sch. 7 para. 9(2) substituted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 20\(2\)\(b\)](#); 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\(2\)](#)