

SCHEDULES

SCHEDULE 15

FINANCIAL RELIEF IN THE HIGH COURT OR A COUNTY COURT ETC.: NORTHERN IRELAND

PART 8

FAILURE TO MAINTAIN: FINANCIAL PROVISION (AND INTERIM ORDERS)

Circumstances in which orders under this Part may be made

- 34 (1) Either civil partner in a subsisting civil partnership may apply to the court for an order under this Part on the ground that the other civil partner (“the respondent”)—
- (a) has failed to provide reasonable maintenance for the applicant, or
 - (b) has failed to provide, or to make a proper contribution towards, reasonable maintenance for any child of the family.
- (2) The court must not entertain an application under this paragraph unless—
- (a) the applicant or the respondent is domiciled in Northern Ireland on the date of the application,
 - (b) the applicant has been habitually resident there throughout the period of 1 year ending with that date, or
 - (c) the respondent is resident there on that date.
- (3) If, on an application under this paragraph, it appears to the court that—
- (a) the applicant or any child of the family to whom the application relates is in immediate need of financial assistance, but
 - (b) it is not yet possible to determine what order, if any, should be made on the application,
- the court may make an interim order.
- (4) If, on an application under this paragraph, the applicant satisfies the court of a ground mentioned in sub-paragraph (1), the court may make one or more of the orders set out in paragraph 36.