
Changes to legislation: Civil Partnership Act 2004, Cross Heading: Particular provision that may be made by lump sum orders 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 5

[^{F1}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 1

FINANCIAL PROVISION IN CONNECTION WITH DISSOLUTION, NULLITY OR SEPARATION

Particular provision that may be made by lump sum orders

- 3 (1) An order under this Part requiring one civil partner to pay the other a lump sum may be made for the purpose of enabling the other civil partner to meet any liabilities or expenses reasonably incurred by the other in maintaining—
- (a) himself or herself, or
 - (b) a child of the family,
- before making an application for an order under this Part in his or her favour.
- (2) An order under this Part requiring a lump sum to be paid to or for the benefit of a child of the family may be made for the purpose of enabling any liabilities or expenses reasonably incurred by or for the benefit of the child before making an application for an order under this Part to be met.
- (3) An order under this Part for the payment of a lump sum may—
- (a) provide for its payment by instalments of such amount as may be specified, and
 - (b) require the payment of the instalments to be secured to the satisfaction of the court.
- (4) Sub-paragraphs (1) to (3) do not restrict the powers to make the orders set out in paragraph 2(1)(c) and (f).
- (5) If the court—
- (a) makes an order under this Part for the payment of a lump sum, and
 - (b) directs that—
 - (i) payment of the sum or any part of it is to be deferred, or
 - (ii) the sum or any part of it is to be paid by instalments,

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it may provide for the deferred amount or the instalments to carry interest at such rate as may be specified from such date as may be specified until the date when payment of it is due.

- (6) A date specified under sub-paragraph (5) must not be earlier than the date of the order.
- (7) “Specified” means specified in the order.

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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\(2\)](#)