

Changes to legislation: Civil Partnership Act 2004, Cross Heading: General is up to date with all changes known to be in force on or before 18 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 5

MATTERS TO WHICH COURT IS TO HAVE REGARD UNDER PARTS 1 TO [^{F1}4A]

Textual Amendments

- F1** Word in Sch. 5 Pt. 5 heading substituted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 16\(2\)](#); [S.I. 2011/664](#), art. 2(3), [Sch. Pt. 2](#)

General

- 20 The court in deciding—
- (a) whether to exercise its powers under—
 - (i) Part 1 (financial provision on dissolution etc.),
 - (ii) Part 2 (property adjustment orders),
 - (iii) Part 3 (sale of property orders), ^{F1} . . .
 - (iv) any provision of Part 4 (pension sharing orders) other than paragraph 17 (apportionment of charges), [^{F2}or]
 - [^{F3}(v) any provision of Part 4A (pension compensation sharing orders) other than paragraph 19C (apportionment of charges), and]
 - (b) if so, in what way,
- must have regard to all the circumstances of the case, giving first consideration to the welfare, while under 18, of any child of the family who has not reached 18.

Textual Amendments

- F1** Word in Sch. 5 para. 20(a)(iii) repealed (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 148, 149, [Sch. 6 para. 16\(3\)\(a\)](#), [Sch. 11 Pt. 4](#); [S.I. 2011/664](#), art. 2(3), [Sch. Pt. 2](#)
- F2** Word in Sch. 5 para. 20(a)(iv) substituted (6.4.2011) by [Pensions Act 2008 \(c. 30\)](#), ss. 120, 149, [Sch. 6 para. 16\(3\)\(b\)](#); [S.I. 2011/664](#), art. 2(3), [Sch. Pt. 2](#)

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F3 Sch. 5 para. 20(a)(v) inserted (6.4.2011) by Pensions Act 2008 (c. 30), ss. 120, 149, **Sch. 6 para. 16(3)(c)**; 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\(2\)](#)