



Civil Partnership Act 2004

2004 CHAPTER 33

PART 4

CIVIL PARTNERSHIP: NORTHERN IRELAND

CHAPTER 2

DISSOLUTION, NULLITY AND OTHER PROCEEDINGS

Dissolution of civil partnership

171 Refusal of dissolution in 5 year separation cases on ground of grave hardship

- (1) The respondent to an application for a dissolution order in which the applicant alleges 5 years' separation may oppose the making of an order on the ground that—
 - (a) the dissolution of the civil partnership will result in grave financial or other hardship to him, and
 - (b) it would in all the circumstances be wrong to dissolve the civil partnership.
- (2) Subsection (3) applies if—
 - (a) the making of a dissolution order is opposed under this section,
 - (b) the court finds that the applicant is entitled to rely in support of his application on the fact of 5 years' separation and makes no such finding as to any other fact mentioned in section 168(5), and
 - (c) apart from this section, the court would make a dissolution order.
- (3) The court must—
 - (a) consider all the circumstances, including the conduct of the civil partners and the interests of the civil partners and of any children or other persons concerned, and
 - (b) if it is of the opinion that the ground mentioned in subsection (1) is made out, dismiss the application for the dissolution order.

Changes to legislation: *Civil Partnership Act 2004, Section 171 is up to date with all changes known to be in force on or before 15 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](#)*

- (4) “Hardship” includes the loss of the chance of acquiring any benefit which the respondent might acquire if the civil partnership were not dissolved.

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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\(2\)](#)