

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Civil Partnership Act 2004, Paragraph 67 is up to date with all changes known to be in force on or before 18 May 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 15

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

Modifications etc. (not altering text)

- C1** Sch. 15: functions transferred (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), art. 15(1), **Sch. 17 para. 21(b)** (with arts. 15(6), 28-31)

PART 13

MISCELLANEOUS AND SUPPLEMENTARY

PROSPECTIVE

Avoidance of transactions intended to prevent or reduce financial relief

- 67 (1) This paragraph applies if proceedings for relief (“financial relief”) are brought by one person (“A”) against another (“B”) under Part 1, 2, 3, 7, 8 or 9 (other than paragraph 53(2)), or paragraph 62.
- (2) If the court is satisfied, on an application by A, that B is, with the intention of defeating A’s claim for financial relief, about to—
- (a) make any disposition, or
 - (b) transfer out of the jurisdiction or otherwise deal with any property,
- it may make such order as it thinks fit for restraining B from doing so or otherwise for protecting the claim.
- (3) If the court is satisfied, on an application by A, that—
- (a) B has, with the intention of defeating A’s claim for financial relief, made a reviewable disposition, and
 - (b) if the disposition were set aside, financial relief or different financial relief would be granted to A,
- it may make an order setting aside the disposition.
- (4) If the court is satisfied, on an application by A in a case where an order has been obtained by A against B under any of the provisions mentioned in sub-paragraph (1), that B has, with the intention of defeating A’s claim for financial relief, made a reviewable disposition, it may make an order setting aside the disposition.
- (5) An application for the purposes of sub-paragraph (3) must be made in the proceedings for the financial relief in question.

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- (6) If the court makes an order under sub-paragraph (3) or (4) setting aside a disposition it must give such consequential directions as it thinks fit for giving effect to the order (including directions requiring the making of any payments or the disposal of any property).

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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\(2\)](#)