

SCHEDULES

SCHEDULE 16

FINANCIAL RELIEF IN COURT OF SUMMARY JURISDICTION ETC.: NORTHERN IRELAND

PART 8

SUPPLEMENTARY

Restrictions on making of orders under this Schedule: welfare of children

- 45 If—
- (a) an application is made by a civil partner for an order under Part 1, 2 or 3, and
 - (b) there is a child of the family who is under 18,
- the court must not dismiss or make a final order on the application until it has decided whether to exercise any of its powers under the Children (Northern Ireland) Order 1995 ([S.I. 1995/755 \(N.I. 2\)](#)) with respect to the child.

Application of certain provisions of the Domestic Proceedings (Northern Ireland) Order 1980

- 46 Articles 30 to 35 of the Domestic Proceedings (Northern Ireland) Order 1980 ([S.I. 1980/563 \(N.I. 5\)](#)) apply for the purposes of this Schedule as they apply for the purposes of that Order.

Interpretation

- 47 (1) In this Schedule “child of the family”, in relation to two people who are civil partners of each other, means—
- (a) a child of both of them, and
 - (b) any other child, other than a child placed with them as foster parents by an authority or a voluntary organisation, who has been treated by both the civil partners as a child of their family.
- (2) In sub-paragraph (1) “authority” and “voluntary organisation” have the same meaning as in the Children (Northern Ireland) Order 1995 ([S.I. 1995/ 755 \(N.I. 2\)](#)).
- (3) In any provision of this Schedule “the court” (except where the context otherwise requires) means a court of summary jurisdiction which by virtue of this Schedule or of rules of court has jurisdiction for the purposes of that provision.
- (4) References in this Schedule to a subsequent civil partnership include a civil partnership which is by law void or voidable.
- (5) References in this Schedule to a subsequent marriage include a marriage which is by law void or voidable.