

**Status:** Point in time view as at 05/09/2005.

**Changes to legislation:** Civil Partnership Act 2004, Cross Heading: Leave of court required for making of application is up to date with all changes known to be in force on or before 29 June 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)

## SCHEDULES

### SCHEDULE 17

#### FINANCIAL RELIEF IN NORTHERN IRELAND AFTER OVERSEAS DISSOLUTION ETC. OF A CIVIL PARTNERSHIP

##### Modifications etc. (not altering text)

- C1** Sch. 17: 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 1

#### FINANCIAL RELIEF

##### *Leave of court required for making of application*

- 4 (1) No application for an order under paragraph 9 or 13 shall be made unless the leave of the court has been obtained in accordance with rules of court.
- (2) The court shall not grant leave under this paragraph unless it considers that there is substantial ground for the making of an application for such an order.
- (3) The court may grant leave under this paragraph notwithstanding that an order has been made by a court in a country outside Northern Ireland requiring the other civil partner to make any payment, or transfer any property, to the applicant or to a child of the family.
- (4) Leave under this paragraph may be granted subject to such conditions as the court thinks fit.

##### Commencement Information

- II** Sch. 17 para. 4 wholly in force at 5.12.2005; Sch. 17 para. 4 not in force at Royal Assent see s. 263; Sch. 17 para. 4(1) in force for certain purposes at 5.9.2005 by [S.I. 2005/2399](#), art. 2, Sch. and Sch. 17 para. 4 in force otherwise at 5.12.2005 by [S.I. 2005/3255](#), art. 2(1), Sch.

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