

*Status: Point in time view as at 15/04/2005. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: Civil Partnership Act 2004, Paragraph 47 is up to date with all changes known to be in force on or before 27 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 5 **E+W**

#### FINANCIAL RELIEF IN THE HIGH COURT OR A COUNTY COURT ETC.

#### PART 10 **E+W**

##### COMMENCEMENT OF CERTAIN PROCEEDINGS AND DURATION OF CERTAIN ORDERS

VALID FROM 05/12/2005

##### *Duration of periodical and secured periodical payments orders for a civil partner*

- 47 (1) The court may specify in a periodical payments or secured periodical payments order in favour of a civil partner such term as it thinks fit, except that the term must not—
- (a) begin before the date of the making of an application for the order, or
  - (b) extend beyond the limits given in sub-paragraphs (2) and (3).
- (2) The limits in the case of a periodical payments order are—
- (a) the death of either civil partner;
  - (b) where the order is made on or after the making of a dissolution or nullity order, the formation of a subsequent civil partnership or marriage by the civil partner in whose favour the order is made.
- (3) The limits in the case of a secured periodical payments order are—
- (a) the death of the civil partner in whose favour the order is made;
  - (b) where the order is made on or after the making of a dissolution or nullity order, the formation of a subsequent civil partnership or marriage by the civil partner in whose favour the order is made.
- (4) In the case of an order made on or after the making of a dissolution or nullity order, sub-paragraphs (1) to (3) are subject to paragraphs 23(3) and 59(4).
- (5) If a periodical payments or secured periodical payments order in favour of a civil partner is made on or after the making of a dissolution or nullity order, the court may direct that that civil partner is not entitled to apply under paragraph 51 for the extension of the term specified in the order.
- (6) If—
- (a) a periodical payments or secured periodical payments order in favour of a civil partner is made otherwise than on or after the making of a dissolution or nullity order, and
  - (b) the civil partnership is subsequently dissolved or annulled but the order continues in force,

*Status: Point in time view as at 15/04/2005. This version of this cross heading contains provisions that are not valid for this point in time.*

*Changes to legislation: Civil Partnership Act 2004, Paragraph 47 is up to date with all changes known to be in force on or before 27 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)*

---

the order ceases to have effect (regardless of anything in it) on the formation of a subsequent civil partnership or marriage by that civil partner, except in relation to any arrears due under it on the date of its formation.

**Status:**

Point in time view as at 15/04/2005. This version of this cross heading contains provisions that are not valid for this point in time.

**Changes to legislation:**

Civil Partnership Act 2004, Paragraph 47 is up to date with all changes known to be in force on or before 27 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.