

## SCHEDULES

### SCHEDULE 6

#### FINANCIAL RELIEF IN MAGISTRATES' COURTS ETC.

##### PART 1

##### FAILURE TO MAINTAIN ETC.: FINANCIAL PROVISION

*Particular matters to be taken into account when exercising powers in relation to civil partners*

- 5 (1) This paragraph applies in relation to the exercise by the court of its power to make an order by virtue of paragraph 2(1)(a) or (b).
- (2) The court must in particular have regard to—
- (a) the income, earning capacity, property and other financial resources which each civil partner—
    - (i) has, or
    - (ii) is likely to have in the foreseeable future,  
including, in the case of earning capacity, any increase in that capacity which it would in the opinion of the court be reasonable to expect a civil partner in the civil partnership to take steps to acquire;
  - (b) the financial needs, obligations and responsibilities which each civil partner has or is likely to have in the foreseeable future;
  - (c) the standard of living enjoyed by the civil partners before the occurrence of the conduct which is alleged as the ground of the application;
  - (d) the age of each civil partner and the duration of the civil partnership;
  - (e) any physical or mental disability of either civil partner;
  - (f) the contributions which each civil partner has made or is likely in the foreseeable future to make to the welfare of the family, including any contribution by looking after the home or caring for the family;
  - (g) the conduct of each civil partner, if that conduct is such that it would in the opinion of the court be inequitable to disregard it.