



# Civil Partnership Act 2004

## 2004 CHAPTER 33

### PART 2

#### CIVIL PARTNERSHIP: ENGLAND AND WALES

### CHAPTER 5

#### CHILDREN

#### **78 Financial provision for children**

- (1) Amend Schedule 1 to the 1989 Act (financial provision for children) as follows.
- (2) In paragraph 2(6) (meaning of “periodical payments order”) after paragraph (d) insert—
  - “(e) Part 1 or 9 of Schedule 5 to the Civil Partnership Act 2004 (financial relief in the High Court or a county court etc.);
  - (f) Schedule 6 to the 2004 Act (financial relief in the magistrates' courts etc.)”.
- (3) In paragraph 15(2) (person with whom a child lives or is to live) after “husband or wife” insert “or civil partner”.
- (4) For paragraph 16(2) (extended meaning of “parent”) substitute—
  - “(2) In this Schedule, except paragraphs 2 and 15, “parent” includes—
    - (a) any party to a marriage (whether or not subsisting) in relation to whom the child concerned is a child of the family, and
    - (b) any civil partner in a civil partnership (whether or not subsisting) in relation to whom the child concerned is a child of the family;and for this purpose any reference to either parent or both parents shall be read as a reference to any parent of his and to all of his parents.”