
Changes to legislation: Civil Partnership Act 2004, Paragraph 16 is up to date with all changes known to be in force on or before 09 May 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) View outstanding changes

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

Presumptions for the purposes of paragraph 15

- 16 (1) Sub-paragraph (3) applies where—
- (a) an application is made under paragraph 15(2) or (3) by one of the civil partners with respect to—
 - (i) a disposition which took place less than 3 years before the date of the application, or
 - (ii) a disposition or other dealing with property which is about to take place, and
 - (b) the court is satisfied that the disposition or other dealing would (apart from paragraph 15 and this paragraph of this Schedule) have the consequence of defeating a claim by the applicant.
- (2) Sub-paragraph (3) also applies where—
- (a) an application is made under paragraph 15(4) by one of the civil partners with respect to a disposition which took place less than 3 years before the date of the application, and
 - (b) the court is satisfied that the disposition has had the consequence of defeating a claim by the applicant.
- (3) It shall be presumed, unless the contrary is shown, that the person who—
- (a) disposed of, or
 - (b) is about to dispose of or deal with the property,
- did so, or (as the case may be) is about to do so, with the intention of defeating the applicant's claim.
- (4) A reference in this paragraph to defeating a claim by one of the civil partners has the meaning given by paragraph 15(9).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)