



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.”

Changes to legislation:

Civil Partnership Act 2004, Section 78 is up to date with all changes known to be in force on or before 29 April 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.

[View outstanding changes](#)

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\(2\)](#)