
Changes to legislation: Civil Partnership Act 2004, Cross Heading: Revival of orders for periodical payments is up to date with all changes known to be in force on or before 24 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) [View outstanding changes](#)

SCHEDULES

SCHEDULE 16

FINANCIAL RELIEF IN COURT OF SUMMARY JURISDICTION ETC.: NORTHERN IRELAND

Modifications etc. (not altering text)

- C1** Sch. 16: 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 6

VARIATION ETC. OF ORDERS

Revival of orders for periodical payments

- 40 (1) If an order made by the court under this Schedule for the making of periodical payments to or in respect of a child (other than an interim order) ceases to have effect—
- (a) on the date on which the child reaches 16, or
 - (b) at any time after that date but before or on the date on which he reaches 18, the child may apply to the court for an order for its revival.
- (2) If on such an application it appears to the court that—
- (a) the child is, will be or (if an order were made under this sub-paragraph) would be receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation, whether or not while in gainful employment, or
 - (b) there are special circumstances which justify the making of an order under this sub-paragraph,
- the court may by order to revive the order from such date as the court may specify, not being earlier than the date of the making of the application.
- (3) Any order revived under this paragraph may be varied or revoked under paragraphs 30 to 34 in the same way as it could have been varied or revoked had it continued in being.

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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. 3(1)(e) and word inserted by [2024 c. 21 s. 76\(2\)\(b\)](#)
- s. 3(1A)(1B) inserted by [2024 c. 21 s. 76\(3\)](#)
- s. 3(3)(4) inserted by [2024 c. 21 s. 76\(4\)](#)
- s. 19(4)(c) and word inserted by [2024 c. 21 s. 76\(7\)\(b\)](#)
- s. 19(5A)(5B) inserted by [2024 c. 21 s. 76\(8\)](#)
- s. 19(7A) inserted by [2024 c. 21 s. 76\(9\)](#)
- 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\(2\)](#)