

Status: Point in time view as at 27/09/2017.

Changes to legislation: Civil Partnership Act 2004, Cross Heading: Welfare Reform and Pensions Act 1999 (c. 30) is up to date with all changes known to be in force on or before 19 July 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)

SCHEDULES

SCHEDULE 27

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Welfare Reform and Pensions Act 1999 (c. 30)

- 157 (1) Amend section 23 (supply of pension information in connection with divorce etc.) as follows.
- (2) After subsection (1)(a)(i) insert—
- “(ia) financial relief under Schedule 5 or 7 to the Civil Partnership Act 2004 (England and Wales powers in relation to domestic and overseas dissolution of civil partnerships etc.),”.
- (3) In subsection (1)(a)(ii)—
- (a) after “1984” insert “ or Schedule 11 to the 2004 Act ”, and
- (b) at the end, omit “or”.
- (4) In subsection (1)(a)(iii) for “(corresponding Northern Ireland powers);” substitute “(Northern Ireland powers corresponding to those mentioned in sub-paragraph (i)), or
- (iv) financial relief under Schedule 15 or 17 to the 2004 Act (Northern Ireland powers corresponding to those mentioned in sub-paragraph (ia));”.
- (5) In subsection (1)(b), for “or (iii)” substitute “ (ia), (iii) or (iv) ”.
- 158 (1) Amend section 24 (charges by pension arrangements in relation to earmarking orders) as follows.
- (2) After paragraph (a) insert—
- “(aa) an order under Part 1 of Schedule 5 to the Civil Partnership Act 2004 (financial provision orders in connection with dissolution of civil partnerships etc.) so far as it includes provision made by virtue of Part 6 of that Schedule (powers to include provision about pensions),”.
- (3) At the end of paragraph (b) omit “or” and after paragraph (c) insert “, or
- (d) an order under Part 1 of Schedule 15 to the 2004 Act so far as it includes provision made by virtue of Part 5 of that Schedule (Northern Ireland powers corresponding to those mentioned in paragraph (aa)).”
- 159 (1) Amend section 28 (activation of pension sharing) as follows.
- (2) After subsection (1)(a) insert—

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- “(aa) a pension sharing order under Schedule 5 to the Civil Partnership Act 2004.”.
- (3) After subsection (1)(d) insert—
- “(da) an order under Schedule 7 to the 2004 Act (financial relief in England and Wales after overseas dissolution etc. of a civil partnership) corresponding to such an order as is mentioned in paragraph (aa).”.
- (4) In subsection (1)(f)—
- (a) at the end of sub-paragraph (i) insert “ or between persons who are civil partners of each other ”, and
- (b) at the end of sub-paragraph (iii) insert “ or (as the case may be) on the grant, in relation to the civil partnership, of decree of dissolution or of declarator of nullity ”.
- (5) In subsection (1)(g), after “divorce etc.” insert “ or under Schedule 11 to the 2004 Act (financial provision in Scotland after overseas proceedings) ”.
- (6) In subsection (1)(h) for “Northern Ireland legislation, and” substitute “ the Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15)), ”.
- (7) After subsection (1)(i) insert—
- “(j) a pension sharing order under Schedule 15 to the 2004 Act, and
- (k) an order under Schedule 17 to the 2004 Act (financial relief in Northern Ireland after overseas dissolution etc. of a civil partnership) corresponding to such an order as is mentioned in paragraph (j).”.
- (8) In subsection (7)(a), omit “matrimonial”.
- (9) In subsection (8)—
- (a) in paragraph (a), after “divorce” insert “ , dissolution ”, and
- (b) at the end of paragraph (b) insert “ or, where the order is under Schedule 11 to the 2004 Act, the date of disposal of the application under paragraph 2 of that Schedule ”.
- (10) In subsection (9)—
- (a) omit “matrimonial”, and
- (b) in paragraphs (a) and (b)(i), after “divorce” insert “ , dissolution ”.
- 160 (1) Amend section 34 (“implementation period”) as follows.
- (2) In subsection (1)(b)(i), omit “matrimonial”.
- (3) In subsection (2)—
- (a) omit “matrimonial”, and
- (b) in paragraph (b), after “divorce” insert “ , dissolution ”.
- 161 (1) Amend section 48 (activation of benefit sharing) as follows.
- (2) After subsection (1)(a) insert—
- “(aa) a pension sharing order under Schedule 5 to the Civil Partnership Act 2004.”.
- (3) After subsection (1)(d) insert—

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- “(da) an order under Schedule 7 to the 2004 Act (financial relief in England and Wales after overseas dissolution etc. of a civil partnership) corresponding to such an order as is mentioned in paragraph (aa),”.
- (4) In subsection (1)(f)—
- (a) at the end of sub-paragraph (i) insert “ or between persons who are civil partners of each other ”, and
 - (b) at the end of sub-paragraph (iii) insert “ or (as the case may be) on the grant, in relation to the civil partnership, of decree of dissolution or of declarator of nullity ”.
- (5) In subsection (1)(g), after “divorce etc.” insert “ or under Schedule 11 to the 2004 Act (financial provision in Scotland after overseas proceedings) ”.
- (6) In subsection (1)(h) for “Northern Ireland legislation, and” substitute “ the Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15)), ”.
- (7) After subsection (1)(i) insert—
- “(j) a pension sharing order under Schedule 15 to the 2004 Act, and
 - (k) an order under Schedule 17 to the 2004 Act (financial relief in Northern Ireland after overseas dissolution etc. of a civil partnership) corresponding to such an order as is mentioned in paragraph (j).”
- (8) In subsection (6)(a), omit “matrimonial”.
- (9) In subsection (7)—
- (a) in paragraph (a), after “divorce” insert “ , dissolution ”, and
 - (b) at the end of paragraph (b) insert “ or, where the order is under Schedule 11 to the 2004 Act, the date of disposal of the application under paragraph 2 of that Schedule ”.
- (10) In subsection (8)—
- (a) omit “matrimonial”, and
 - (b) in paragraphs (a) and (b)(i), after “divorce” insert “ , dissolution ”.

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