
Status: Point in time view as at 06/04/2012.

Changes to legislation: Pensions (No. 2) Act (Northern Ireland) 2008, PART 2 is up to date with all changes known to be in force on or before 15 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 5 **N.I.**

PENSION COMPENSATION ON DIVORCE ETC.

PART 2 **N.I.**

AMENDMENTS OF THE MATRIMONIAL AND FAMILY PROCEEDINGS (NORTHERN IRELAND) ORDER 1989

10 The Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (NI 4) is amended as follows.

11 In Article 21 (orders for financial provision and property adjustment) at the end of paragraph (b) add—

“(c) if the marriage has been dissolved or annulled, make an order which would, within the meaning of that Part, be a pension compensation sharing order in relation to the marriage.”.

12 In Article 22(7) (matters to which court is to have regard) for subparagraph (c) substitute—

“(c) “PPF compensation” means compensation payable under—

- (i) Chapter 3 of Part 3 of the Pensions (Northern Ireland) Order 2005 (pension protection) or any regulations or order made under it,
- (ii) Chapter 1 of Part 3 of the Pensions (No. 2) Act (Northern Ireland) 2008 (pension compensation sharing) or any regulations or order made under it, or
- (iii) any provision corresponding to the provisions mentioned in head (i) or (ii) in force in Great Britain.”.

13.—(1) Article 25 (application of certain provisions of Part 3 of the Matrimonial Causes (Northern Ireland) Order 1978) is amended as follows.

(2) After paragraph (1)(bc) insert—

“(bca) Article 26D(3) to (10) (provisions about pension compensation orders in relation to divorce and nullity);

(bcb) Article 26E (duty to stay pension compensation sharing orders);

(bcc) Article 26F (apportionment of pension compensation sharing charges);”.

(3) After paragraph (1)(bf) insert—

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“(bg) Article 27F (power, by financial provision order, to attach pension compensation payments, or to require the exercise of a right of commutation of pension compensation);”.

(4) After paragraph (1)(l) add—

“(m) Article 42B (appeals relating to pension compensation sharing orders which have taken effect).”.

(5) In paragraph (2) for “and (be)” substitute “, (be) and (bg)”.

(6) In paragraph (4) at the end add “ or under paragraphs (1) and (2) of Article 27G of that Order ”.

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