

SCHEDULE

Amendment of provisions of Acts and Orders relating to pensions and benefit payments, extending those provisions to civil partners and surviving civil partners

PART 6

Amendment of the Pensions (Northern Ireland) Order 2005

28. The Pensions (Northern Ireland) Order 2005(1) is amended as follows.

29. In Article 20(6) (consequences of freezing order), in the definition of “pension earmarking order”—

(a) after paragraph (a) there shall be inserted the following paragraph—

“(aa) an order under Part 1 (financial provision in connection with dissolution, nullity or separation) of Schedule 15 to the Civil Partnership Act 2004 (financial relief in the High Court or a county court etc.: Northern Ireland) so far as it includes provision made by virtue of paragraphs 20 and 21 of Part 5 of that Schedule (powers to include provisions about pensions).”;

(b) in paragraph (b) “or” shall be omitted;

(c) at the end of paragraph (c) there shall be inserted—

“, or

(d) an order under Part 1 (financial provision in connection with dissolution, nullity or separation) of Schedule 5 to the Civil Partnership Act 2004 (financial relief in the High Court or a county court etc.) so far as it includes provision made by virtue of paragraphs 25 and 26 of Part 6 of that Schedule (powers to include provisions about pensions).”.

30. In Article 250 (resolution of disputes), in the substituted Article 50A(1)(b), after “widower” there shall be inserted “, surviving civil partner”

31. In Schedule 9 (deferral of retirement pensions and shared additional pensions), in paragraph 21 of Part 3 (transitional provisions)—

(a) in the heading, after “Widowers” there shall be inserted “and surviving civil partners”, and after “widowed person's” there shall be inserted “or surviving civil partner's”;

(b) after “widower” there shall be inserted “or surviving civil partner”;

(c) after “widowed person's” there shall be inserted “or surviving civil partner's”; and

(d) for “he was over pensionable age when his wife died” there shall be substituted “the widower or surviving civil partner was over pensionable age when his wife or, as the case may be, his or her civil partner died”.