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SCOTTISH STATUTORY INSTRUMENTS

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**2000 No. 112**

**The Divorce etc. (Pensions) (Scotland) Regulations 2000**

**Interpretation**

**2.—(1)** In these Regulations—

“the Act” means the Family Law (Scotland) Act 1985;

“the 1993 Act” means the Pension Schemes Act 1993<sup>(1)</sup>;

“the 1995 Act” means the Pensions Act 1995<sup>(2)</sup>;

“the 1999 Act” means the Welfare Reform and Pensions Act 1999<sup>(3)</sup>;

“active member” has the same meaning as in section 124(1) of the 1995 Act;

“benefits under a pension arrangement” has the same meaning as in section 27(1)<sup>(4)</sup>, subject to section 12A(10)<sup>(5)</sup> and any reference to the rights or interests which a party has or may have in benefits under a pension arrangement includes a reference to the rights or interests which a party has or may have in such benefits which are payable in respect of the death of either party;

“deferred member” has the meaning given by section 124(1) of the 1995 Act;

“a party” means a party to a marriage;

“occupational pension scheme” has the same meaning as in section 1 of the 1993 Act;

“pension arrangement” has the same meaning as in section 46(1) of the 1999 Act;

“person responsible for a pension arrangement” has the same meaning as in section 46(2) of the 1999 Act;

“personal pension scheme” has the same meaning as in section 1 of the 1993 Act but, as if the reference to employed earners in that definition were to any earner;

“matrimonial property” has the same meaning as in section 10(4) and (5);

“relevant date” has the same meaning as in section 10(3);

“salary related occupational pension scheme” has the meaning given in regulation 1A of the Occupational Pension Schemes (Transfer Values) Regulations 1996<sup>(6)</sup>.

**(2)** Any reference in these Regulations to—

(a) a numbered section is to a section bearing that number in the Act;

(b) a numbered regulation is to a regulation bearing that number in these Regulations.

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<sup>(1)</sup> 1993 c. 48.

<sup>(2)</sup> 1995 c. 26.

<sup>(3)</sup> 1999 c. 30.

<sup>(4)</sup> The definitions of “benefits under a pension arrangement” and “pension arrangement” were inserted by the 1999 Act, Schedule 12, paragraph 12.

<sup>(5)</sup> Section 12A(10) was substituted by the 1999 Act, Schedule 12, paragraph 9(9).

<sup>(6)</sup> S.I. 1996/1847; regulation 1A was inserted by S.I. 1997/786, regulation 12(3).