



Welfare Reform and Pensions Act 1999

1999 CHAPTER 30

PART III

PENSIONS ON DIVORCE ETC.

Miscellaneous

23 Supply of pension information in connection with divorce etc.

- (1) The Secretary of State may by regulations—
- (a) make provision imposing on the person responsible for a pension arrangement, or on the Secretary of State, requirements with respect to the supply of information relevant to any power with respect to—
 - (i) financial relief under Part II of the ^{M1}Matrimonial Causes Act 1973 or Part III of the ^{M2}Matrimonial and Family Proceedings Act 1984 (England and Wales powers in relation to domestic and overseas divorce etc.),
 - [^{F1}(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.),]
 - (ii) financial provision under the ^{M3}Family Law (Scotland) Act 1985 or Part IV of the Matrimonial and Family Proceedings Act 1984 [^{F2}or Schedule 11 to the 2004 Act] (corresponding Scottish powers), ^{F3}...
 - (iii) financial relief under Part III of the ^{M4}Matrimonial Causes (Northern Ireland) Order 1978 or Part IV of the ^{M5}Matrimonial and Family Proceedings (Northern Ireland) Order 1989 [^{F4}(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));]
 - (b) make provision about calculation and verification in relation to the valuation of—

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- (i) benefits under a pension arrangement, or
 - (ii) shareable state scheme rights,
- for the purposes of regulations under paragraph (a)(i) [^{F5}(ia), (iii) or (iv)];
- (c) make provision about calculation and verification in relation to—
 - (i) the valuation of shareable rights under a pension arrangement or shareable state scheme rights for the purposes of regulations under paragraph (a)(ii), so far as relating to the making of orders for financial provision (within the meaning of the ^{M6}Family Law (Scotland) Act 1985), or
 - (ii) the valuation of benefits under a pension arrangement for the purposes of such regulations, so far as relating to the making of orders under section 12A of that Act;
 - (d) make provision for the purpose of enabling the person responsible for a pension arrangement to recover prescribed charges in respect of providing information in accordance with regulations under paragraph (a).
- (2) Regulations under subsection (1)(b) or (c) may include provision for calculation or verification in accordance with guidance from time to time prepared by a person prescribed by the regulations.
- (3) Regulations under subsection (1)(d) may include provision for the application in prescribed circumstances, with or without modification, of any provision made by virtue of section 41(2).
- (4) In subsection (1)—
- (a) the reference in paragraph (c)(i) to shareable rights under a pension arrangement is to rights in relation to which pension sharing is available under Chapter I of Part IV, or under corresponding Northern Ireland legislation, and
 - (b) the references to shareable state scheme rights are to rights in relation to which pension sharing is available under Chapter II of Part IV, or under corresponding Northern Ireland legislation.

Textual Amendments

- F1** S. 23(1)(a)(ia) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 157(2)**; S.I. 2005/3175, art. 2(2)
- F2** Words in s. 23(1)(a)(ii) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 157(3)(a)**; S.I. 2005/3175, art. 2(2)
- F3** Word in s. 23(1)(a)(ii) repealed (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 157(3)(b)**, **Sch. 30**; S.I. 2005/3175, art. 2(2)(6)
- F4** S. 23(1)(a)(iv) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 157(4)**; S.I. 2005/3175, art. 2(2)
- F5** Words in s. 23(1)(b) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), **Sch. 27 para. 157(5)**; S.I. 2005/3175, art. 2(2)

Modifications etc. (not altering text)

- C1** S. 23 modified (6.4.2016) by [The Social Security \(Northern Ireland Reciprocal Arrangements\) Regulations 2016 \(S.I. 2016/287\)](#), regs. 1, 2(2)(e)(i), **Sch.**

Commencement Information

- I1** S. 23 wholly in force at 1.12.2000; s. 23 in force for certain purposes at Royal Assent see s. 89(1); s. 23 in force at 1.12.2000 insofar as not already in force by [S.I. 2000/1047](#), art. 2(2)(d), **Sch. Pt. IV**

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Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 23. (See end of Document for details)

Marginal Citations

M1 1973 c. 18

M2 1984 c. 42.

M3 1985 c. 37.

M4 S.I. 1978/1045 (N.I. 15).

M5 S.I. 1989/677 (N.I. 4).

M6 1985 c. 37.

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Changes to legislation:

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