



Welfare Reform and Pensions Act 1999

1999 CHAPTER 30

PART IV

PENSION SHARING

CHAPTER I

SHARING OF RIGHTS UNDER PENSION ARRANGEMENTS

Pension debits

31 Reduction of benefit.

- (1) Subject to subsection (2), where a person's shareable rights under a pension arrangement are subject to a pension debit, each benefit or future benefit—
 - (a) to which he is entitled under the arrangement by virtue of those rights, and
 - (b) which is a qualifying benefit,is reduced by the appropriate percentage.
- (2) Where a pension debit relates to the shareable rights under an occupational pension scheme of a person who is in pensionable service under the scheme on the transfer day, each benefit or future benefit—
 - (a) to which the person is entitled under the scheme by virtue of those rights, and
 - (b) which corresponds to a qualifying benefit,is reduced by an amount equal to the appropriate percentage of the corresponding qualifying benefit.
- (3) A benefit is a qualifying benefit for the purposes of subsections (1) and (2) if the cash equivalent by reference to which the amount of the pension debit is determined includes an amount in respect of it.

Status: Point in time view as at 01/12/2000.

Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 31. (See end of Document for details)

- (4) The provisions of this section override any provision of a pension arrangement to which they apply to the extent that the provision conflicts with them.
- (5) In this section—
- “appropriate percentage”, in relation to a pension debit, means—
- (a) if the relevant order or provision specifies the percentage value to be transferred, that percentage;
 - (b) if the relevant order or provision specifies an amount to be transferred, the percentage which the appropriate amount for the purposes of subsection (1) of section 29 represents of the amount mentioned in subsection (3)(b) of that section;
- “relevant order or provision”, in relation to a pension debit, means the pension sharing order or provision on which the debit depends;
- “transfer day”, in relation to a pension debit, means the day on which the relevant order or provision takes effect.

Commencement Information

- II** [S. 31](#) wholly in force at 1.12.2000; [s. 31](#) in force for certain purposes at Royal Assent see [s. 89\(1\)](#); [s. 31](#) in force at 1.12.2000 insofar as not already in force by [S.I. 2000/1047](#), [art. 2\(2\)\(d\)](#), [Sch. Pt. IV](#)

Status:

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Changes to legislation:

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