



Welfare Reform and Pensions Act 1999

1999 CHAPTER 30

PART IV

PENSION SHARING

CHAPTER II

SHARING OF STATE SCHEME RIGHTS

[^{F1}49A Creation of debits and credits: transferor in new state pension system and sharing activated on or after 6 April 2016

- (1) This section applies if—
 - (a) the transferor is in the new state pension system, and
 - (b) the transfer day is 6 April 2016 or any later date.
- (2) Where this section applies because of a relevant order or provision—
 - (a) the transferor is subject, for the purposes of section 14 of the Pensions Act 2014, to a debit of the shared weekly amount, and
 - (b) the transferee is entitled, for the purposes of the relevant state pension legislation, to a credit of the shared weekly amount.
- (3) The shared weekly amount is the specified percentage of the excess amount of the transferor's state pension under section 4 of the Pensions Act 2014 as at the transfer day.
- (4) For the purposes of calculating the shared weekly amount—
 - (a) a transferor who is under pensionable age on the transfer day is to be treated as having reached pensionable age and to have become entitled to the state pension under section 4 of the Pensions Act 2014 on the transfer day;
 - (b) a transferor who has reached pensionable age on the transfer day but who has not yet become entitled to the state pension under section 4 of the Pensions Act 2014 is to be treated as having become entitled to the pension on that day.

Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 49A. (See end of Document for details)

(5) In this section—

“the excess amount” has the meaning given by section 47(4);

“relevant order or provision” means the order or provision by virtue of which this section applies (see section 48);

“the relevant state pension legislation”—

(a) in relation to a transferee in the old state pension system, means Part 2 of the Contributions and Benefits Act, and

(b) in relation to a transferee in the new state pension system, means Part 1 of the Pensions Act 2014;

“specified percentage” means the percentage specified in the relevant order or provision for the purposes of subsection (3);

“transfer day” means the day on which the relevant order or provision takes effect;

“transferor” means the person to whose rights the relevant order or provision relates;

“transferee” means the person for whose benefit the relevant order or provision is made.]

Textual Amendments

F1 [S. 49A](#) inserted (6.4.2016 unless brought into force earlier by an order under s. 56(1) of the amending Act) by [Pensions Act 2014 \(c. 19\)](#), s. 56(4), [Sch. 11 para. 13](#)

Changes to legislation:

There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 49A.