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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations provide for the following modifications.

Modifications of Schedule 5 to the Civil Partnership Act 2004 to allow for cases where a pension attachment order has been made and the Board of the Pension Protection Fund becomes involved with the pension arrangement in question.

Modification of orders including a provision made by virtue of paragraph 25(5) of Schedule 5 (order requiring a civil partner to exercise a right of commutation) to enable the order to be enforced in respect of compensation paid by the Pension Protection Fund.

Modifications of Schedule 5 in order to allow the court to exercise certain of its powers on an application to vary or an appeal in relation to a pension attachment or a pension sharing order notwithstanding the fact that the Board has assumed responsibility for the pension arrangement in question.

Modification of the Dissolution etc (Pensions) Regulations 2005 to provide for notices of change of circumstances in relation to pension attachment orders to be given to the Board where appropriate and for the Board to be discharged from liability in circumstances where payments cannot be made to the correct party or are made in error due to lack of or incorrect information.

The Pension Protection Fund was established by the Pensions Act 2004 (c. 35) (“the Pensions Act”). It pays compensation to members of certain pension schemes when a qualifying insolvency event in relation to the employer occurs and where there are insufficient assets in the pension scheme to cover the levels of compensation which would be payable by the Pension Protection Fund under the Pensions Act 2004.