

## SCHEDULE 2

### Consequential Amendments

3. In the Pensions on Divorce etc. (Provision of Information) Regulations 2000(1)—
- (a) in regulation 1(2) (interpretation)—
- (i) in the appropriate alphabetical places, insert—
- ““normal pension age” has the meaning given in section 180 of the 1993 Act (normal pension age);”;
- ““the Transfer Values Regulations” means the Occupational Pension Schemes (Transfer Values) Regulations 1996;”;
- (ii) for the definition of “salary related occupational pension scheme”, substitute—
- ““salary related occupational pension scheme” has the meaning given by regulation 1A of the Transfer Values Regulations;” and
- (iii) omit the definition of “the Board for Actuarial Standards”;
- (b) in regulation 3 (information about pensions and divorce and dissolution of a civil partnership: valuation of pension benefits)—
- (i) in paragraph (1)(d)—
- (aa) for “paragraphs (7) to (9)” substitute “paragraphs (7) and (8)”; and
- (bb) after head (iii), insert—
- “; or
- (iv) the pension of the person with pension rights is not in payment and the person has attained normal pension age.”;
- (ii) for paragraph (4)(b), substitute—
- “(b) in accordance with regulation 11 of, and Schedule 1 to, the Transfer Values Regulations (disclosure).”;
- (iii) for paragraphs (7) to (9), substitute—
- “(7) Cash equivalents are to be calculated and verified in accordance with regulations 7 to 7C and 7E(1) to (3) of the Transfer Values Regulations as appropriate.
- (8) But when calculating and verifying a cash equivalent in accordance with those regulations—
- (a) references to “trustees” must be read as references to “person responsible for the pension arrangement”;
- (b) where the person with pension rights is a pensioner member on the date on which the request for the valuation is received, the value of his pension must be calculated and verified in accordance with regulations 7 to 7E of the Transfer Values Regulations as appropriate;
- (c) where the person is over normal pension age but not in receipt of a pension—
- (i) the value of his pension must be calculated and verified in accordance with regulations 7 to 7E of the Transfer Values Regulations as appropriate; and

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- (ii) the person responsible for the pension arrangement must assume that the pension came into payment on the date on which the request for the valuation was received; and
  - (d) the date by reference to which the cash equivalent is to be calculated and verified is to be the date on which the request for the valuation was received.”; and
  - (iv) in paragraph (10), for “paragraph (3), (4) or (9)” substitute “paragraph (3), (4) or (7)”;
- (c) in regulation 4(2)(c) (provision of information in response to a notification that a pension sharing order or provision may be made), for the words from “regulation 8(4)” to the end, substitute “paragraphs 2, 3 and 12 of Schedule 1A to the Transfer Values Regulations (reductions in initial cash equivalents);”.