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STATUTORY INSTRUMENTS

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**2011 No. 731**

**The Pension Protection Fund (Pension Compensation Sharing and Attachment on Divorce etc) Regulations 2011**

**PART 11**

**Annual increase in periodic compensation**

**Determination of indexed proportion**

**32.** In any case where it is unclear whether the pension compensation credit or any part of it is derived from rights of the transferor relating to pensionable service (whether actual or notional) occurring—

- (a) before 6th April 1997; or
- (b) on or after 6th April 1997,

the Board may determine as best as it is able, having regard to the admissible rules of the scheme and all the circumstances of the case, how much of the service or notional service of the transferor should be treated for the purposes of paragraph 17 of Schedule 5 to the Act as having occurred before 6th April 1997 and how much should be treated as having occurred on or after that date.