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STATUTORY INSTRUMENTS

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**1978 No. 1045**

**Matrimonial Causes (Northern Ireland) Order 1978**

**PART III**

**FINANCIAL RELIEF FOR PARTIES TO  
MARRIAGE AND CHILDREN OF FAMILY**

*Ancillary relief in connection with divorce proceedings, etc.*

**Pensions: lump sums**

**27C.**—(1) The power of the court under Article 25 to order a party to a marriage to pay a lump sum to the other party includes, where the benefits which the party with pension rights has or is likely to have under a pension<sup>[F1]</sup> arrangement] include any lump sum payable in respect of his death, power to make any of the following provision by the order.

(2) The court may—

- (a) if the<sup>[F1]</sup> person responsible for the pension arrangement in question has] power to determine the person to whom the sum, or any part of it, is to be paid, require<sup>[F1]</sup> him] to pay the whole or part of that sum, when it becomes due, to the other party;
- (b) if the party with pension rights has power to nominate the person to whom the sum, or any part of it, is to be paid, require the party with pension rights to nominate the other party in respect of the whole or part of that sum;
- (c) in any other case, require the<sup>[F1]</sup> person responsible for the pension arrangement] in question to pay the whole or part of that sum, when it becomes due, for the benefit of the other party instead of to the person to whom, apart from the order, it would be paid.

(3) Any payment by the<sup>[F1]</sup> person responsible for the arrangement] under an order made under Article 25 by virtue of this Article shall discharge so much of<sup>[F1]</sup> his] liability in respect of the party with pension rights as corresponds to the amount of the payment.

<sup>[F1]</sup>(4) The powers conferred by this Article may not be exercised in relation to a pension arrangement which—

- (a) is the subject of a pension sharing order in relation to the marriage, or
- (b) has been the subject of pension sharing between the parties to the marriage.]

**Changes to legislation:**

There are currently no known outstanding effects for the Matrimonial Causes (Northern Ireland) Order 1978, Section 27C.