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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.*

**[<sup>F1</sup>Attachment of pension compensation**

**27F.**—(1) This Article applies where, having regard to any PPF compensation to which a party to the marriage is or is likely to be entitled, the court determines to make an order under Article 25.

(2) To the extent to which the order is made having regard to such compensation, the order may require the Board of the Pension Protection Fund, if at any time any payment in respect of PPF compensation becomes due to the party with compensation rights, to make a payment for the benefit of the other party.

(3) The order must express the amount of any payment required to be made by virtue of paragraph (2) as a percentage of the payment which becomes due to the party with compensation rights.

(4) Any such payment by the Board of the Pension Protection Fund—

- (a) shall discharge so much of its liability to the party with compensation rights as corresponds to the amount of the payment, and
- (b) shall be treated for all purposes as a payment made by the party with compensation rights in or towards the discharge of that party's liability under the order.

(5) Where the party with compensation rights has a right to commute any PPF compensation, the order may require that party to exercise it to any extent; and this Article applies to any payment due in consequence of commutation in pursuance of the order as it applies to other payments in respect of PPF compensation.

(6) The power conferred by paragraph (5) may not be exercised for the purpose of commuting compensation payable to the party with compensation rights to compensation payable to the other party.

(7) The power conferred by paragraph (2) or (5) may not be exercised in relation to rights to PPF compensation that—

- (a) derive from rights under a pension scheme that were at any time the subject of a pension sharing order in relation to the marriage, or a previous marriage between the same parties, or
- (b) are or have ever been the subject of a pension compensation sharing order in relation to the marriage or a previous marriage between the same parties.]

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**Changes to legislation:** *There are currently no known outstanding effects for the Matrimonial Causes (Northern Ireland) Order 1978, Section 27F. (See end of Document for details)*

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**F1** Arts. 27F, 27G inserted (6.4.2011) by **Pensions (No. 2) Act (Northern Ireland) 2008** (c. 13), s. 118(1), **Sch. 5 para. 7** (with s. 73) (as amended by S.I. 2010/976, art. 1(2), **Sch. 18 para. 174** (with arts. 28-31)); S.R. 2011/108, art. 2(2), **Sch.**

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