

SCHEDULE 3

Regulation 2(3)

Further amendment to the 1998 Regulations

1. In regulation E25(1)(c) after the words “retirement pension” there shall be inserted the words “save that any reduction in that retirement pension by virtue of a pension sharing order shall be disregarded if the short-term pension is payable to a child”.
2. In regulation E28—
 - (a) in paragraph (1) for the words “paragraph (2)” there shall be inserted the words “paragraphs (2) and (2A)”; and
 - (b) after paragraph (2) there shall be inserted the following paragraph—

“(2A) Where after a pension sharing order has taken effect a surviving spouse or a nominated beneficiary becomes entitled to a pension under regulation E26, that pension shall be reduced by the same proportion by which the deceased’s retirement benefits would have been reduced if he had become entitled to them on the day he died”.
3. In regulation E34 at the end of paragraph (3), there shall be added “or pursuant to pension sharing under Chapter 1 of Part V of the 1999 Order or Chapter 1 of Part IV of the Welfare Reform and Pension Act 1999”.