



# Welfare Reform and Pensions Act 1999

## 1999 CHAPTER 30

### PART IV

#### PENSION SHARING

#### CHAPTER I

##### SHARING OF RIGHTS UNDER PENSION ARRANGEMENTS

##### *Pension credits*

#### 34 “Implementation period”.

- (1) For the purposes of this Chapter, the implementation period for a pension credit is the period of 4 months beginning with the later of—
- (a) the day on which the relevant order or provision takes effect, and
  - (b) the first day on which the person responsible for the pension arrangement to which the relevant order or provision relates is in receipt of—
    - (i) the relevant <sup>F1</sup>... documents, and
    - (ii) such information relating to the transferor and transferee as the Secretary of State may prescribe by regulations.
- (2) The reference in subsection (1)(b)(i) to the relevant <sup>F2</sup>... documents is to copies of—
- (a) the relevant order or provision, and
  - (b) the order, decree or declarator responsible for the divorce<sup>F3</sup>, dissolution] or annulment to which it relates,
- and, if the pension credit depends on provision falling within subsection (1)(f) of section 28, to documentary evidence that the agreement containing the provision is one to which subsection (3)(a) of that section applies.
- (3) Subsection (1) is subject to any provision made by regulations under section 41(2)(a).

*Status: Point in time view as at 05/12/2005.*

*Changes to legislation: There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 34. (See end of Document for details)*

- (4) The Secretary of State may by regulations—
- (a) make provision requiring a person subject to liability in respect of a pension credit to notify the transferor and transferee of the day on which the implementation period for the credit begins;
  - (b) provide for this section to have effect with modifications where the pension arrangement to which the relevant order or provision relates is being wound up;
  - (c) provide for this section to have effect with modifications where the pension credit depends on a pension sharing order and the order is the subject of an application for leave to appeal out of time.
- (5) In this section—
- “relevant order or provision”, in relation to a pension credit, means the pension sharing order or provision on which the pension credit depends;
- “transferor” means the person to whose rights the relevant order or provision relates;
- “transferee” means the person for whose benefit the relevant order or provision is made.

#### **Textual Amendments**

- F1** Word in s. 34(1)(b)(i) repealed (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), Sch. 27 para. 160(2), [Sch. 30](#); S.I. 2005/3175, art. 2(2)(6)
- F2** Word in s. 34(2) repealed (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), Sch. 27 para. 160(3)(a), [Sch. 30](#); S.I. 2005/3175, art. 2(2)(6)
- F3** Word in s. 34(2)(b) inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(10)(b), [Sch. 27 para. 160\(3\)\(b\)](#); S.I. 2005/3175, art. 2(2)

#### **Modifications etc. (not altering text)**

- C1** S. 34 modified (1.12.2000) by [S.I. 2000/1053](#), [art. 4](#)

#### **Commencement Information**

- I1** S. 34 wholly in force at 1.12.2000; s. 34 in force for certain purposes at Royal Assent see s. 89(1); s. 34 in force at 1.12.2000 insofar as not already in force by [S.I. 2000/1047](#), [art. 2\(2\)\(d\)](#), [Sch. Pt. IV](#)

**Status:**

Point in time view as at 05/12/2005.

**Changes to legislation:**

There are currently no known outstanding effects for the Welfare Reform and Pensions Act 1999, Section 34.