



Pensions Act 2008

2008 CHAPTER 30

PART 3

PENSION COMPENSATION

CHAPTER 1

PENSION COMPENSATION ON DIVORCE ETC

109 Activation of pension compensation sharing

Section 111 applies on the taking effect of any of the following relating to a person's shareable rights to PPF compensation—

- (a) a pension compensation sharing order under the Matrimonial Causes Act 1973 (c. 18);
- (b) a pension compensation sharing order under Schedule 5 to the Civil Partnership Act 2004 (c. 33);
- (c) an order under Part 3 of the Matrimonial and Family Proceedings Act 1984 (c. 42) (financial relief in England and Wales in relation to overseas divorce etc) corresponding to such an order as is mentioned in paragraph (a);
- (d) an order under Schedule 7 to the Civil Partnership Act 2004 (c. 33) (financial relief in England and Wales after overseas dissolution etc of a civil partnership) corresponding to such an order as is mentioned in paragraph (b);
- (e) an order under any provision corresponding to a provision mentioned in any of paragraphs (a) to (d) in force in Northern Ireland.
- (f) a pension compensation sharing order under section 8 of the Family Law (Scotland) Act 1985 (c. 37) (orders for financial provision);
- (g) any provision corresponding to provision which may be made by such an order, and which—
 - (i) is contained in a qualifying agreement between the parties to a marriage or the partners in a civil partnership,

Status: *This is the original version (as it was originally enacted).*

(ii) is in such form as the Secretary of State may prescribe by regulations,
and

(iii) takes effect on the grant, in relation to the marriage, of decree of
divorce or of declarator of nullity or (as the case may be) on the
grant, in relation to the civil partnership, of decree of dissolution or
of declarator of nullity,

except where the provision relates to the same rights to PPF compensation
as are the subject of an order made under section 12B(2) of the Family
Law (Scotland) Act 1985 (order for payment of capital sum: pension
compensation).