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STATUTORY RULES OF NORTHERN IRELAND

1996 No. 284 (C. 14)

PENSIONS

**The Pensions (1995 Order) (Commencement
No. 3) Order (Northern Ireland) 1996**

Made - - - - *16th July 1996*

In exercise of the powers conferred upon me by Article 1(4) and 166(3) of the Pensions (Northern Ireland) Order 1995(1), I hereby make the following Order:—

Citation and interpretation

1. This Order may be cited as the Pensions (1995 Order) (Commencement No. 3) Order (Northern Ireland) 1996.

2. In this Order—

- (a) “the 1978 Order” means the Matrimonial Causes (Northern Ireland) Order 1978(2);
- (b) “the 1995 Order” means the Pensions (Northern Ireland) Order 1995; and
- (c) all words and phrases defined in Article 27D(3) and (4) of the 1978 Order have the meanings assigned by that Article.

Appointed day

3.—(1) Subject to Articles 4 and 5, Article 162 of the 1995 Order shall come into operation on the following dates:—

- (a) in relation to the amendment to the 1978 Order consisting of the insertion of Articles 27D(2), (3) and (4), for the purpose only of authorising the making of regulations, the day following the day on which this Order was made;
- (b) for all other purposes, 1st August 1996.

(2) The repeal, in Part IV of Schedule 5 to the 1995 Order, in relation to Article 27(2)(h) of the 1978 Order shall come into operation on 1st August 1996.

(1) S.I.1995/3213 (N.I. 22)
(2) S.I. 1978/1045 (N.I. 15)

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4.—(1) Subject to paragraph (2), Articles 27B and 27C of the 1978 Order shall have effect in relation to applications for an order under Article 25 of that Order—

- (a) which are made on or after 1st August 1996, or
- (b) which are made before that date and amended on or after that date so as to include provision under Article 27B or 27C.

(2) Where a petition for divorce, nullity of marriage or judicial separation was presented before 1st July 1996 the 1978 Order shall have effect in relation to those proceedings, including any answer or cross petition filed in these proceedings, as if Article 162 of the 1995 Order had not come into operation.

5. No order under Article 25 of the 1978 Order shall be made requiring the trustees or managers of a pension scheme to make periodical payments to the party without pension rights with effect from a date earlier than 6th April 1997

Dated 16th July 1996.

Mackay of Clashfern, C.

EXPLANATORY NOTE

(This note is not part of the Order.)

This Order brings Article 162 of the Pensions (Northern Ireland) Order 1995 into operation on 1st August 1996, with the following exceptions:

- (a) the inserted Article 27D(2) to (4) of the Matrimonial Causes (Northern Ireland) Order 1978, empowering the Lord Chancellor to make regulations, comes into operation on the day after the making of this Order;
- (b) periodical payments made by a pension fund to a party without pension rights may not be ordered so as to commence before 6th April 1997;
- (c) the inserted Articles 27B and 27C of the Matrimonial Causes (Northern Ireland) Order 1978 do not apply to proceedings commenced by petition before 1st July 1996.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order.)

The following provisions of the Pensions (Northern Ireland) Order 1995 were brought into operation by the Pensions (1995 Order) (Commencement No. 1) Order (Northern Ireland) 1995 ([S.R. 1995 No. 477 \(C. 11\)](#)) and the Pensions (1995 Order) (Commencement No. 2) Order (Northern Ireland) 1996 ([S.R. 1996 No. 91 \(C. 4\)](#)) as from the dates shown.

Provision	Date of Commencement	S.R. No.
Article 10 (partially)	6.4.96	1996 No. 91 (C. 4)
Articles 16 to 21 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 27 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 32 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 33 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 35 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 37 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 38 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 39	1.1.96	1995 No. 477 (C. 11)
Article 40 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 41 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 47 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 49 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 50 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 51 (partially)	6.4.96	1996 No. 91 (C. 4)
Articles 56 to 61 (partially)	6.4.96	1996 No. 91 (C. 4)

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Provision	Date of Commencement	S.R. No.
Articles 62 to 66 (partially)	19.12.95	1995 No. 477 (C. 11)
	1.1.96	1995 No. 477 (C. 11)
Article 67 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 68 (partially)	6.4.96	1996 No. 91 (C. 4)
(partially)	6.10.96	1996 No. 91 (C. 4)
Article 69 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 73 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 74 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 75 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 76 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 77 (partially)	6.4.96	1996 No. 91 (C. 4)
Articles 85 to 87 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 88	19.12.95	1995 No. 477 (C. 11)
Articles 89 to 93 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 114 (partially)	19.12.95	1995 No. 477 (C. 11)
(partially)	1.1.96	1995 No. 477 (C. 11)
(partially)	6.10.96	1996 No. 91 (C. 4)
Article 115 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 116	6.4.96	1996 No. 91 (C. 4)
Article 117 (partially)	19.12.95	1995 No. 477 (C. 11)
(partially)	1.1.96	1995 No. 477 (C. 11)
	6.4.96	1996 No. 91 (C. 4)
Article 118 (partially)	19.12.95	1995 No. 477 (C. 11)
(partially)	1.1.96	1995 No. 477 (C. 11)
	6.4.96	1996 No. 91 (C. 4)
Article 119, Sch. 1 (partially)	1.1.96	1995 No. 477 (C. 11)
(partially)	6.4.96	1996 No. 91 (C. 4)
Article 120 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 121 (partially)	19.12.95	1995 No. 477 (C. 11)
(partially)	1.1.96	1995 No. 477 (C. 11)
	6.4.96	1996 No. 91 (C. 4)
Article 122 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 133 (partially)	6.4.96	1996 No. 91 (C. 4)
	6.4.96	1996 No. 91 (C. 4)

Provision	Date of Commencement	S.R. No.
Article 134 (partially)	14.3.96	1996 No. 91 (C. 4)
(partially)	6.4.96	1996 No. 91 (C. 4)
Article 135 (partially)	14.3.96	1996 No. 91 (C. 4)
Article 136 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 137 (partially)	14.3.96	1996 No. 91 (C. 4)
(partially)	6.4.96	1996 No. 91 (C. 4)
Article 138 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 139 to 141 (partially)	14.3.96	1996 No. 91 (C. 4)
	6.4.96	1996 No. 91 (C. 4)
Article 143 (partially)	14.3.96	1996 No. 91 (C. 4)
	6.4.96	1996 No. 91 (C. 4)
Article 145	6.4.96	1996 No. 91 (C. 4)
Article 146 (partially)	1.6.96	1996 No. 91 (C. 4)
Article 147, Sch. 3 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 148 to 150 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 151 (partially)	6.4.96	1996 No. 91 (C. 4)
Article 152	19.12.95	1995 No. 477 (C. 11)
Article 164	19.12.95	1995 No. 477 (C. 11)
Article 165, Sch. 4 (partially)	19.12.95	1995 No. 477 (C. 11)
(partially)	6.4.96	1996 No. 91 (C. 4)
Article 166	19.12.95	1995 No. 477 (C. 11)
	6.4.96	1996 No. 91 (C. 4)
Article 167 (partially)	6.4.96	1996 No. 91 (C. 4)
(partially)	1.1.96	1995 No. 477 (C. 11)
	6.4.96	1996 No. 91 (C. 4)
Article 168, Sch. 5 (partially)	19.12.95	1995 No. 477 (C. 11)
(partially)	1.1.96	1995 No. 477 (C. 11)
(partially)	6.4.96	1996 No. 91 (C. 4)