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STATUTORY RULES OF NORTHERN IRELAND

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**2011 No. 108 (C. 7)**

**PENSIONS**

The Pensions (2008 No. 2 Act) (Commencement  
No. 5) Order (Northern Ireland) 2011

*Made* - - - - *15th March 2011*

The Department for Social Development makes the following Order in exercise of the powers conferred by section 118(1) of the Pensions (No. 2) Act (Northern Ireland) 2008<sup>(1)</sup>.

**Citation and interpretation**

1.—(1) This Order may be cited as the [Pensions \(2008 No. 2 Act\) \(Commencement No. 5\) Order \(Northern Ireland\) 2011](#).

(2) In this Order “the Act” means the Pensions (No. 2) Act (Northern Ireland) 2008.

**Commencement of provisions**

2.—(1) The following provisions of the Act shall come into operation on 16th March 2011—

- (a) section 63 (objectives of the Regulator); and
- (b) section 99 (charges in respect of pension sharing etc.) for the purpose only of conferring the power to make regulations.

(2) The provisions of the Act specified in the Schedule shall come into operation, in so far as they are not already in operation, on 6th April 2011.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Sealed with the Official Seal of the Department for Social Development on 15th March 2011

*Anne McCleary*  
A senior officer of the Department for Social  
Development

SCHEDULE

Article 2(2)

Provisions of the Act coming into operation on 6th April 2011 in so far as they are not already in operation

<i>Provisions of the Act</i>	<i>Subject matter</i>
Section 86	Scope of mechanism
Section 87	Interpretation
Section 88	Activation of pension compensation sharing
Section 89	Creation of pension compensation debits and credits
Section 90	Cash equivalents
Section 91	Reduction of compensation
Section 92	Time for discharge of liability
Section 93	“Implementation period”
Section 94	Discharge of liability
Section 95	Charges in respect of pension compensation sharing costs
Section 96	Supply of information about pension compensation in relation to divorce etc.
Section 97	Supply of information about pension compensation sharing
Section 98	Pension compensation sharing and attachment on divorce etc.
Section 99	Charges in respect of pension sharing etc.
Section 101	Consequential amendments
Schedule 4, paragraphs 1 to 10 and 12 to 20	Pension compensation payable on discharge of pension compensation credit
Schedule 5	Pension compensation on divorce etc.
Part 4 of Schedule 10 and section 116 in so far as it relates to that Part	Repeals

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order brings into operation section 63 of the Pensions (No. 2) Act (Northern Ireland) 2008 (“the Act”) on 16th March 2011. Section 63 amends Article 4(1) of the Pensions (Northern Ireland) Order 2005 (S.I. 2005/255 (N.I. 1)) to provide a new statutory objective for the Pensions Regulator.

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The Order brings section 99 of the Act into operation on 16th March 2011, for the purpose only of conferring power to make regulations. It also brings sections 86 to 99 and 101 of, and Schedule 4 (except paragraph 11), Schedule 5 and Part 4 of Schedule 10 to, the Act into operation, in so far as they are not already in operation, on 6th April 2011. Those sections and Schedules make provision for pension compensation to be shared on divorce, dissolution of a civil partnership or in cases of nullity, for attachment orders to be made on divorce etc. in relation to pension compensation and for the Board of the Pension Protection Fund to recover charges in respect of pension sharing etc.

### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

*(This note is not part of the Order)*

The following provisions of the Pensions (No. 2) Act (Northern Ireland) 2008 have been brought into operation by earlier commencement orders as from the dates shown.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.R. No.</i>
Section 61	26th January 2009	2009/22 (C.1)
Section 62	26th January 2009	2009/22 (C.1)
Section 78 (partially)	5th July 2010	2010/50 (C.2)
Section 79	6th April 2009	2009/22 (C.1)
Section 80 (partially)	6th April 2009	2009/22 (C.1)
(partially)	6th April 2009	2009/147 (C.9)
Section 100 (partially)	1st April 2009	2009/147 (C.9)
Section 103 (partially)	29th June 2009	2009/249 (C.16)
Section 104 (partially)	26th February 2010	2010/50 (C.2)
Section 105	6th April 2009	2009/22 (C.1)
Section 106	26th January 2009	2009/22 (C.1)
Section 107	26th January 2009	2009/22 (C.1)
Section 116 (partially)	6th April 2009	2009/22 (C.1)
Schedule 1 (partially)	6th April 2009	2009/22 (C.1)
(partially)	6th April 2009	2009/147 (C.9)
Schedule 6 (partially)	1st April 2009	2009/147 (C.9)
Schedule 8 (partially)	29th June 2009	2009/249 (C.16)
Schedule 9 (partially)	26th February 2010	2010/50 (C.2)
Schedule 10 (partially)	6th April 2009	2009/22 (C.1)