
Changes to legislation: Civil Partnership Act 2004, Paragraph 16 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 5

[^{F1}FINANCIAL RELIEF: PROVISION CORRESPONDING TO PROVISION MADE BY PART 2 OF THE MATRIMONIAL CAUSES ACT 1973]

Textual Amendments

- F1** Sch. 5 title substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 177](#); [S.I. 2014/954](#), art. 2(e) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

PART 4

PENSION SHARING ORDERS ON OR AFTER DISSOLUTION OR NULLITY ORDER

Pension sharing orders

- 16 (1) A pension sharing order is an order which—
- (a) provides that one civil partner's—
 - (i) shareable rights under a specified pension arrangement, or
 - (ii) shareable state scheme rights,are to be subject to pension sharing for the benefit of the other civil partner, and
 - (b) specifies the percentage value to be transferred.
- (2) Shareable rights under a pension arrangement are rights in relation to which pension sharing is available under—
- (a) Chapter 1 of Part 4 of the Welfare Reform and Pensions Act 1999 (c. 30), or
 - (b) corresponding Northern Ireland legislation.
- (3) Shareable state scheme rights are rights in relation to which pension sharing is available under—
- (a) Chapter 2 of Part 4 of the 1999 Act, or
 - (b) corresponding Northern Ireland legislation.
- (4) In this Part “pension arrangement” means—
- (a) an occupational pension scheme,
 - (b) a personal pension scheme,
 - (c) a retirement annuity contract,
 - (d) an annuity or insurance policy purchased, or transferred, for the purpose of giving effect to rights under—
 - (i) an occupational pension scheme, or
 - (ii) a personal pension scheme, and

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- (e) an annuity purchased, or entered into, for the purpose of discharging liability in respect of a pension credit under—
 - (i) section 29(1)(b) of the 1999 Act, or
 - (ii) corresponding Northern Ireland legislation.
- (5) In sub-paragraph (4)—
 - “occupational pension scheme” has the same meaning as in the Pension Schemes Act 1993 (c. 48);
 - “personal pension scheme” has the same meaning as in the 1993 Act;
 - “retirement annuity contract” means a contract or scheme approved under Chapter 3 of Part 14 of the Income and Corporation Taxes Act 1988 (c. 1).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)