SCOTTISH STATUTORY INSTRUMENTS

2000 No. 438

FAMILY LAW

The Divorce etc. (Pensions) (Scotland) Amendment (No. 2) Regulations 2000

Made - - - -	*6th December 2000*
Laid before the Scottish Parliament - - - -	*7th December 2000*
Coming into force - -	*8th December 2000*

The Scottish Ministers, in exercise of the powers conferred by section 10(8) and (9) of the Family Law (Scotland) Act 1985(**1**) and of all other powers enabling them in that behalf, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Divorce etc. (Pensions) (Scotland) Amendment (No. 2) Regulations 2000 and shall come into force on 8th December 2000.

Amendment of the Divorce etc. (Pensions) (Scotland) Regulations 2000

2.—(1) The Divorce etc. (Pensions) (Scotland) Regulations 2000(**2**) shall be amended in accordance with the following paragraphs.

(2) In regulation 3A, paragraph (3) shall be omitted;

(3) In regulation 4–

(a) in definition A of the formula, at the end there shall be inserted "or, as the case may be, is the value of relevant state scheme rights which are calculated, as at the relevant date, in accordance with paragraph (2) of regulation 3A above";

(b) in definition C of the formula, at the end there shall be inserted "or, as the case may be, the period during which that party has held relevant state scheme rights before the relevant date".

(**1**) 1985 c. 37; section 10(8) was substituted by the Welfare Reform and Pensions Act 1999 (c. 30) ("the 1999 Act"), Schedule 12, paragraph 8(3). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46) as read with section 91(4) of the 1999 Act which deemed paragraphs 8(3) and (4) of Schedule 12 to the 1999 Act to be pre-commencement enactments within the meaning of the said 1998 Act.

(**2**) S.S.I. 2000/112, regulation 3A was inserted by the Divorce etc. (Pensions) (Scotland) Amendment Regulations 2000 (S.S.I. 2000/392).