STATUTORY INSTRUMENTS

2016 No. 39

SOCIAL SECURITY

The Pensions Act 2014 (Pension Sharing on Divorce etc.) (Transitional Provision) Order 2016

Made - - - - 14th January 2016

Coming into force - - 6th April 2016

The Secretary of State for Work and Pensions makes the following Order in exercise of the power conferred by section 56(8) of the Pensions Act 2014(**1**).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Pensions Act 2014 (Pension Sharing on Divorce etc.) (Transitional Provision) Order 2016 and shall come into force on 6th April 2016.

(2) For the purposes of this Order—

(a) a petition or application is issued on the date entered on the petition or application form by a member of the court staff;

(b) an initial writ or summons is presented on the date entered on the initial writ or summons by a member of the court staff.

Transitional provision in connection with the coming into force of amendments to pension sharing on divorce etc.

2.—(1) This Order applies in a case where section 49A of the Welfare Reform and Pensions Act 1999(**2**) (creation of debits and credits: transferor in new state pension system and sharing activated on or after 6 April 2016) would otherwise apply and either—

(a) in England and Wales—

(i) the petition for divorce or nullity of a marriage was issued before 6th April 2016;

(ii) the application for dissolution or annulment of a civil partnership was issued before 6th April 2016; or

(iii) in the case of the application for financial relief after overseas divorce or nullity of a marriage or overseas dissolution or annulment of a civil partnership, the application for permission of the court for financial relief was issued before 6th April 2016; or

(**1**) 2014 c.19.
(**2**) 1999 c.30. Section 49A is to be inserted by paragraph 13 of Schedule 11 to the Pensions Act 2014 (c.19).