



STATUTORY INSTRUMENTS.

**S.I. No. 254 of 2012**



THE PENSION SCHEMES (FAMILY LAW) (AMENDMENT)  
REGULATIONS 2012

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I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by section 5 of the Pensions Act 1990 (No. 25 of 1990), as amended by section 4 of the Pensions (Amendment) Act 1996 (No. 18 of 1996) and section 47 of the Family Law (Divorce) Act 1996 (No. 33 of 1996), with the consent of the Minister for Justice and Equality hereby make the following Regulations:

*Citation.*

1. (1) These Regulations may be cited as the Pension Schemes (Family Law) (Amendment) Regulations 2012.

(2) The Pension Schemes (Family Law) Regulations 1997 (S.I. No. 107 of 1997) and these Regulations shall be construed together as one and may be cited together as the Pension Schemes (Family Law) Regulations 1997 and 2012.

*Amendments.*

2. The Pension Schemes (Family Law) Regulations 1997 (S.I. No. 107 of 1997) are amended—

(a) in Article 3 definition of “rules in force” by inserting “and to articles 14 and 46” after “the Act of 1990”,

(b) by substituting the following for Article 14—

“14 Subject to articles 22 and 36 where the basis of calculating retirement benefit under a defined benefit scheme is altered prior to the date of the decree the alteration shall be taken into account in calculating the designated benefit but where the basis is altered after the date of the decree the alteration shall not be taken into account in the calculation of the designated benefit unless the alteration is as a result of measures put in place by the trustees of a pension scheme pursuant to a direction under section 50 of the Act of 1990 and the direction is made on or after 1 June 2012.”,

(c) in Article 46 by inserting the following after “subsequent to the date of the decree”—

“unless the reduction or cancellation is as a result of measures put in place by the trustees of a pension scheme pursuant to a direction under section 50 of the Act of 1990 and the direction is made on or after 1 June 2012.”.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 24th July, 2012.*



GIVEN under my Official Seal,  
18 July 2012.

JOAN BURTON,  
Minister for Social Protection.

The Minister for Justice and Equality consents to the making of the foregoing Regulations.



GIVEN under the Official Seal of the Minister for Justice and  
Equality,  
17 July 2012.

ALAN SHATTER,  
Minister for Justice Equality and Defence.

EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

These Regulations amend the Pension Schemes (Family Law) Regulations 1997 to permit the designated benefit under a pension adjustment order to be reduced as a result of measures put in place pursuant to a direction by the Pensions Board under section 50 where the direction is made on or after 1 June 2012.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
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