

The logo for the Pension Protection Fund, featuring a blue curved line above the text.

Pension
Protection
Fund

Protecting people's
futures

A photograph of an elderly woman and man looking at a tablet together. The woman is on the left, wearing a grey and white striped shirt. The man is on the right, wearing a light blue shirt. A large blue curved line is overlaid on the image, framing the couple.

Sharing
your
compensation

Register on our member website

We've developed a secure website for the exclusive use of our members.

If you haven't already, please register as soon as you can because this website is the quickest and easiest way for most people to get information about their payments.

Once you've set up an account, you can do lots of things including updating your personal details.

To register, please go to the website at **www.ppfmembers.org.uk** and follow the registration instructions.

If you have any questions or concerns about anything included in this booklet, please visit our member website or contact us.

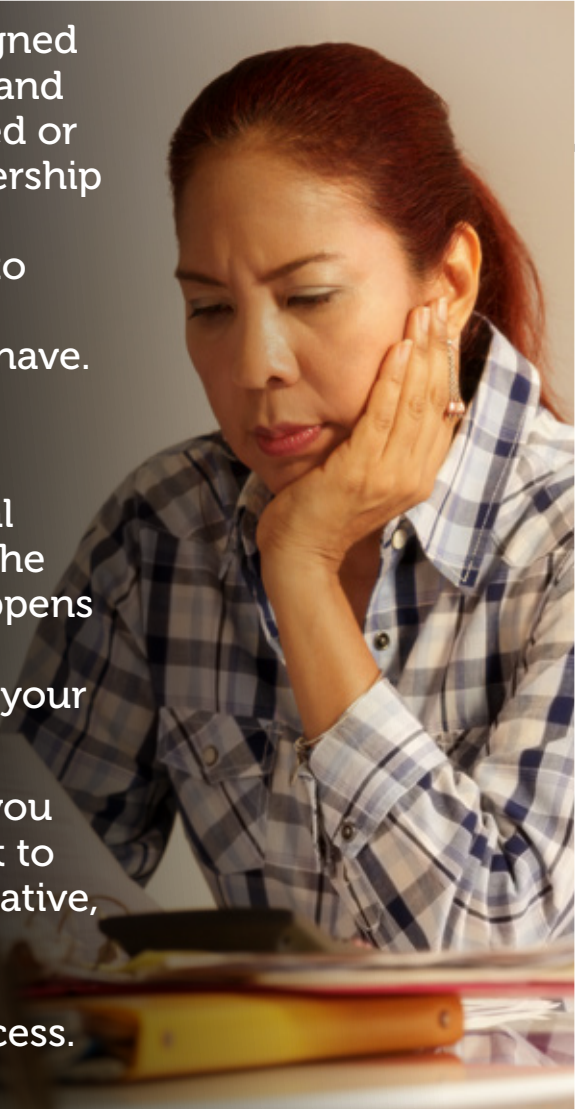
Contact details are at the back of this booklet.

Your compensation after divorce or ending a civil partnership

This booklet is designed to help you understand how getting divorced or ending a civil partnership may affect your PPF compensation and to answer many of the questions you may have.

We'll tell you what information we can provide to your legal representative and the court, and what happens if you have a court order made against your compensation.

It will also help for you to show this booklet to your legal representative, if you have one, so they can more fully understand the process.



Compensation sharing after divorce or ending a civil partnership

If you're a PPF member and you're getting divorced or seeking to dissolve a civil partnership, you may become subject to what's called a compensation sharing order.

This is a court order splitting the compensation you're entitled to between you and your ex-spouse or ex-civil partner, who'll then become a PPF member with their own entitlement to compensation when they retire.

If you're undergoing a divorce or dissolving a civil partnership, there are a number of steps you may need to take.

STEP ONE:

Getting a valuation of your compensation

You, or your legal representative, should contact us to ask for what is called a cash equivalent value (CEV). This is the value of your benefits from the PPF as a cash sum.

We'll value your benefits as at the date of calculation, unless your divorce is subject to Scottish law. Your legal representative can advise you on this.

If it's subject to Scottish law, we'll value your benefits as at the 'relevant date.' This is usually the date of separation or when you, or your ex-spouse or ex-civil partner, moved out of the marital or partnership home. You'll need to confirm this date to us.

Please note that regulations require that the CEV quoted represents a valuation of your entire compensation entitlement at that date.

Under Scottish law, you're required to share the value of the matrimonial/partnership property. Therefore, if your period of marriage/partnership doesn't cover the entire period of service in your former scheme, your CEV quote will need to be apportioned accordingly by your legal representative on a pro rata basis.

It's important to remember that benefits cannot be transferred out of the PPF, either by you or your ex-spouse or ex-civil partner. This is an



important distinction between your PPF benefits and what might happen with any pension benefits you may have elsewhere.

We'll not make any information about the CEV available to any third parties, such as your ex-spouse, former civil partner or their legal representative, without your express permission.

STEP TWO:

Keeping us informed

To avoid delays further down the line, we'd encourage you to send us a copy of any draft order or agreement drawn up by your legal representatives, and any related documents you receive from the court.

This will usually be in the form of a compensation sharing order, a qualifying agreement or a consent order. It's needed so we can check the terms and make sure we'll be able to apply them before they're finalised in court.

We'll tell you within 21 days whether or not we would be able to implement the agreement and it can then be submitted to the relevant court.

STEP THREE:

Implementing a compensation sharing order

If a compensation sharing order is granted by the courts we'll need you to provide us with copies of the following:

- the finalised compensation sharing order, consent order or qualifying agreement
- decree absolute or dissolution certificate
- Annex PPF1.

All of this will be provided to you by your legal representative and it should give us the information we need to implement the order.

If subject to Scottish law, this information needs to be provided to us within two months of the date of the divorce, dissolution or annulment. Otherwise, an extension would need to be obtained from the relevant court.

If we don't have enough information, we'll ask you or your ex-spouse or civil partner to send us further details.

Once we've received all the information we need, we'll write to you to confirm that we can implement the order.



Timescales

The law allows four months in which to put everything in place, although it normally takes much less time.

During this period, we'll arrange for the amount being shared with your ex-spouse or ex-civil partner from your compensation to be put into place.

Deferred members

If you're not yet receiving your PPF compensation, we'll split your entitlement between you and your ex-spouse or ex-civil partner, according to the court's instructions.

We'll write to both you and your ex-spouse or ex-civil partner to let you know what your future entitlements will be.

Your ex-spouse or ex-civil partner will become a PPF member and will be entitled to receive payments when they reach the normal pension age of your former scheme. They can also choose to retire early or delay retirement beyond the normal pension age.

Members in payment

If you're already receiving PPF compensation, we'll reduce your payments as set out in the order. We'll do this straight away to make sure you're not paid any extra money which we'd have to claim back at a later date (although some further adjustments may be made at a later date).

We'll then split your entitlement between you and your ex-spouse or ex-civil partner according to the court's instructions and write to both parties to let you know what your future entitlements will be.

Your ex-spouse or ex-civil partner will become a PPF member and will be entitled to receive payments when they reach the normal pension age of your former scheme, or immediately if they've already reached that age. They would also be entitled to retire early or delay retirement beyond the normal pension age.

Earmarking orders

The court may issue what is called an earmarking order rather than a compensation sharing order.

This means that part of your compensation will become payable to your ex-spouse or ex-civil partner when you retire.

Unlike with compensation sharing, your ex-spouse or ex-civil partner won't become a member of the PPF and you'll remain liable for income tax on the entire amount of your compensation.

Existing pension sharing and earmarking orders

You may have got divorced or your civil partnership may have been dissolved before your former pension scheme transferred to the PPF.

If so, a court may have already put in place a pension sharing order for the payments you were receiving, or due to receive, from your former pension scheme so that some of your entitlement goes to your ex-spouse or former civil partner.

If this sharing order wasn't implemented before your scheme transferred to the PPF, we'll implement it and calculate your compensation – and the payments to your ex-spouse or former civil partner – as ordered by the court.

If you were already subject to either a pension sharing order or earmarking order before you transferred to the PPF and this was implemented by your former scheme, we'll automatically take this into account when paying your compensation. You won't have to do anything further.



Pension Protection Fund

Protecting your data

We take care to handle your personal data in compliance with data protection legislation.

We process your personal data correctly and lawfully, to enable compensation payments to be made to you, to keep you up-to-date with developments and to seek your feedback about ways we could improve our service.

We won't rent, swap or sell your personal data to any other organisation.

You can view our full privacy policy at www.ppfmembers.org.uk or you can request a printed copy of the privacy policy be sent to you by using our contact details.

This booklet is for guidance only. It's necessarily simplified and not a definitive statement of law or entitlement.

Information in this booklet is based on our current understanding of the legislation governing the PPF in force at the time of writing.

Payments will always have to be calculated in accordance with legislation which will, therefore, override in the case of conflict.

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