



Myerson Family

Our guide to
dealing with pensions on divorce

0161 941 4000
myerson.co.uk
lawyers@myerson.co.uk



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Welcome

We understand the complexities of modern family life so everything we do is ultimately about you, and it is important you get to know the team that will be working with you every step of the way. It's a deep source of satisfaction that so many family clients choose Myerson as their trusted adviser.

Why Myerson?

Our highly experienced and discreet family divorce lawyers, provide clear and supportive legal advice, tailored towards your individual family needs.

As a firm, we are proud to be ranked as 'Top Tier' in the prestigious international directory **The Legal 500**, and commended by The Times '**Best Law Firms 2019**'. This means you can be certain that you will be receiving the highest quality legal advice for you.

Being a full-service law firm means we are well placed to provide wide-ranging, tailored legal advice to meet your individual needs. We work closely with other departments internally including Real Estate, Corporate, Commercial and Private Wealth Lawyers to ensure that your needs are protected comprehensively.

You can find out more about our Family Team by clicking [here](#).



How We Work.

Every case is different, and it can be difficult for our clients to know where to start.

Simple and effective. We will always have an initial conversation with you, without any obligation, to explain the process and get to know you and your situation.

We respect your emotions and feelings. We work hard building close relationships with our clients as we understand that agreeing to separate can be an emotional and confusing experience. We are used to dealing with complex legal family issues and ensure that the advice you receive respects your feelings, at what is often a stressful time.

Trust. You're in safe hands. We help clients nationwide and internationally with complex and sensitive cases on a daily basis. So you can rest assured that our expert team knows its stuff!



Your Solicitors



Jane Tenquist

Partner
Head of Family Law

0161 941 4000
jane.tenquist@myerson.co.uk



Nichola Bright

Senior Associate
Family Law

0161 941 4000
nichola.bright@myerson.co.uk



Sarah Whitelegge

Senior Associate
Family Law

0161 941 4000
sarah.whitelegge@myerson.co.uk

The solicitors that will be working with you are specialists.

All members of your Family Team are full members of **Resolution** (a body of family lawyers committed to adhering to the Resolution Code of Practice which promotes working constructively in an attempt to avoid unnecessary conflict) and individually ranked by international legal directory The Legal 500.

You can find out more about our Family Law Team by clicking [here](#).

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Dealing with pensions on divorce

In proceedings for divorce, nullity, or the dissolution of a civil partnership, the Court has the power to share pension savings between the parties.

Pension benefits will often be the second largest asset after the family home and it is important to understand the range of options available when dealing with pensions.

How to value a pension

It is important to request an up-to-date statement showing the cash equivalent value of any pensions that you have.

The cash equivalent is the valuation of benefits built up to date and calculated as if the member were to cease employment on the date of the valuation. This figure represents the value of the future benefits that the member is entitled to, such as pension income and/or lump sum.

If you are concerned that the cash equivalent may not reflect the true value of the benefits, you can request further information from the pension provider by completing the Form P Pension Inquiry Form. The pension provider must complete the request within six weeks of receiving the request.

[Form P: Pension Inquiry Form information needed when a Pension Sharing Order or Pension Attachment Order may be made - GOV.UK \(www.gov.uk\)](http://www.gov.uk)



The cash equivalent valuation does not always reflect the true value of the pension benefit.

The cash equivalent valuation is relatively straightforward for the following types of pension schemes:

- Money purchase
- Defined contribution
- Personal pension

The cash equivalent valuation is more difficult to determine for the following schemes:

- Defined benefit
- Guaranteed annuity rate schemes
- Private sector schemes with discretionary benefits
- Underfunded pension schemes
- Complex pension schemes

Pension Experts

In most circumstances, it will be necessary to instruct a pension actuary to report on how the pension can be divided, to create equality of income and/or capital in retirement.

At Myerson, we have good connections with independent financial advisors and pensions actuaries.

In some circumstances, it might not be necessary to instruct an expert. Below are some examples of situations where a pension report may not be required:-

- The parties have only defined contribution schemes and are of similar age
- The parties are young
- The sharing principle applies, and the pensions are not of great value

However, even in the above examples, there may be factors that would mean it is necessary to seek expert advice.

Options available

The options available when redistributing pension rights are:

Offsetting

This is the process where the value of the pension is set against the value of other assets held between the parties. The pension rights will remain with the pension member and the non-pension member will receive more of the non-pension assets.

This is often used in cases when one party wishes to retain the family home at the expense of receiving future pension provision, or where pension rights cannot be shared.

Pension sharing

Pension sharing is a method by which an existing pension arrangement is split and divided between the parties following divorce, nullity, or dissolution proceedings. The person with pension rights loses a percentage of their funds value, which is transferred to the other party.

Pension attachment orders

A pension attachment order requires the person responsible for a pension arrangement to pay a percentage of the pension income, lump sum or death benefits available to a person with pensions rights in the pension arrangement to person without pension rights. The income/lump sum is paid direct from the person responsible for the pension arrangement and not via the person with the benefit of the pension.

Guides and other information

Advice Now have published a useful guide for separating couples, to help parties understand why it is important for couples who are divorcing to include pensions when considering their finances.

[A survival guide to pensions on divorce | Advicenow](#)

The Pension Advisory Group's report, "A Guide to the Treatment of Pensions on Divorce" was published in July 2019 and is an essential guide to the treatment of pensions on divorce.

[Pensions on divorce interdisciplinary working group | Nuffield Foundation](#)

Don't just take our word for it...

"Divorce is the worst journey I have ever been on, but I can safely say that having Myerson on side, made it so much easier. Their patience, compassion and professionalism were continuous throughout the two years of my divorce – what an ordeal! I would recommend Myerson in a heartbeat."

"Their response time and communication are excellent, and I would have no hesitation in recommending Myerson in the future."

"The legal team have the rare ability to combine strong legal knowledge, procedural and strategic acumen but delivered with client care and overwhelming compassion in what are often difficult or testing circumstances."

"The team gave me support at a time when I needed it most. I would not hesitate in recommending them to anyone who requires a divorce lawyer."

"Your professionalism, efficiency and pragmatism are admirable."

"From start to finish everything actioned by Myerson was perfect. Nothing was any trouble, no matter how many times I contacted them over matters."

To view more Myerson reviews visit our Review Solicitors page by [clicking here](#).

You're in safe hands!

If you would like further information about how we can help you, or if you have any questions, please don't hesitate to contact a member of our Family Law Team today.

Call: 0161 941 4000

Click: myerson.co.uk

Email: lawyers@myerson.co.uk



 SCAN ME



Because
life is rarely
**black and
white.**



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Myerson Solicitors LLP

Grosvenor House, 20 Barrington Road, Altrincham WA14 1HB
Tel: 0161 941 4000 | Fax: 0161 941 4411 | DX19865 Altrincham
lawyers@myerson.co.uk | www.myerson.co.uk | [@myersonllp](https://twitter.com/myersonllp)