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*Changes to legislation: There are currently no known outstanding effects for the County Courts Act (Northern Ireland) 1959. (See end of Document for details)*

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## SCHEDULES

*First Schedule rep. by 1978 c. 23*

### SECOND SCHEDULE

#### PART I

##### SCALE OF PENSIONS OF JUDGES

When the number of completed years of service in the office of a judge is as specified in the first column of the following table, the annual pension shall not exceed the fraction of the last annual salary respectively specified in the second column of that table:—

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<b>Years of service</b>	<b>Fraction of salary.</b>
Less than 5	Six-fortieths.
5	Ten-fortieths.
6	Eleven-fortieths.
7	Twelve-fortieths.
8	Thirteen-fortieths.
9	Fourteen-fortieths.
10	Fifteen-fortieths.
11	Sixteen-fortieths.
12	Seventeen-fortieths.
13	Eighteen-fortieths.
14	Nineteen-fortieths.
15 or more	Twenty-fortieths.

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*Part II rep. by SR 1979/103*

*Part III rep. by 1980 NI 3*

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PROSPECTIVE

<sup>F1F2F3F4</sup>SCHEDULE 2A

- F1** Sch. 2A inserted prosp. by 1991 NI 24
- F2** Sch. 2A (which is still prosp.) am. by 1993 c. 49, **Sch. 7 para. 4**
- F3** Sch 2A (which is still prosp.) am. by 2005 c. 11
- F4** Sch 2A (which is still prosp.) am. (prosp) by SI 2005/3325

<sup>F5</sup>SCHEDULE 2B

Section 122A

SURVIVING CIVIL PARTNERS' PENSIONS: TRANSITIONAL PROVISIONS

- F5** SI 2005/3325

GENERAL

1 In this Schedule—

“the relevant date” means 4th December 2005 <sup>F6</sup>, but means 12th January 2020 in relation to a civil partnership formed between two people not of the same sex] ; and

“member” means a person who holds judicial office and to or in respect of whom benefits are payable under this Act on his or her retirement.

- F6** Words in Sch. 2B para. 1 inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **55(5)** (with regs. 6-9)

SERVICE WHOLLY ON OR BEFORE THE RELEVANT DATE

- 2 No surviving civil partner's pension shall be payable in respect of a member who retires on or before the relevant date.

SERVICE ON AND AFTER THE RELEVANT DATE

3 (1) A member who—

- (a) holds judicial office on the relevant date; and
- (b) continues to do so after that date,

shall have the annual value of a surviving civil partner's pension in respect of the member calculated on the assumption that all of the member's relevant service fell after the relevant date.

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- (2) Sub-paragraph (1) does not apply if, within six months of the date of the member's formation of a civil partnership, the member opts for the annual value of the surviving civil partner's pension to be calculated under sub-paragraph (3).
- (3) Where the annual value of a surviving civil partner's pension falls to be calculated under this sub-paragraph, its value shall be determined by applying the formula—
- $$\text{CPP1} = (\text{CPP2} \times \text{RS1}) \text{ divided by } \text{RS2}$$
- where—
- CPP1 is the annual value of the surviving civil partner's pension,
  - CPP2 is the annual value of the surviving civil partner's pension that would be payable on the assumption mentioned in sub-paragraph (1),
  - RS1 is the length of the member's relevant service after the relevant date, and
  - RS2 is the whole of the member's relevant service.
- (4) For the purposes of this paragraph there shall be left out of account so much (if any) of the relevant service on or before the relevant date as does not add to the amount of the personal pension and accordingly this paragraph shall not apply if none of the relevant service on or before that date adds to the amount of the personal pension.
- (5) An election under sub-paragraph (2) must be made in writing to the administrators.
- (6) An election under sub-paragraph (2) is irrevocable.]

*Third Schedule rep. by 1964 c. 29 (NI); SLR 1973; 1978 c.23*

*Fourth Schedule rep. by 1964 c. 33 (NI); 1969 c. 30 (NI); 1972 NI 16; SLR 1976; 1978 NI 4; 1980 NI 3*

*Fifth Schedule rep. by 1962 c. 30; SLR 1973*

**Changes to legislation:**

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