

1989 No. 130

PENSIONS

The Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) (Amendment) Regulations 1989

Made 23rd March 1989

Coming into operation 6th April 1989

To be laid before Parliament

The Lord Chancellor, in exercise of the powers conferred by section 10(8) of and Schedule 3 to the Administration of Justice Act 1973(a) and now vested in him by Article 3(1) of and Schedule 2 to the Northern Ireland (Modification of Enactments — No. 1) Order 1973(b) and all other powers enabling him in that behalf, and with the concurrence of the Treasury(c), hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) (Amendment) Regulations 1989 and shall come into operation on 6th April 1989.

(2) The Interpretation Act 1978(d) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Amendment

2. The Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) Regulations 1987(e) shall be amended as follows:—

(a) by substituting, in paragraph (1) of regulation 3, for the words "paragraph (2)" the words "paragraphs (2) and (3)";

(b) by inserting, after paragraph (2) of regulation 3, the following new paragraph—

“(3) No contribution shall be made by an office-holder for any period of service during which an election under section 116A of the Act of 1959 or section 2A of the Act of 1960(f), as the case may be, is in force in respect of him.”.

(a) 1973 c. 15: amended and repealed in part by section 36 of and Schedules 3 and 4 to the Judicial Pensions Act 1981 c. 20

(b) S.I. 1973/2163

(c) Substituted for the Minister for the Civil Service by S.I. 1981/1670

(d) 1978 c. 30

(e) S.R. 1987 No. 101, as amended by S.R. 1987 No. 160

(f) As modified by the Personal Pension Option (No. 1) Regulations (Northern Ireland) 1989, S.R. 1989 No. 100

Dated 23rd March 1989

Mackay of Clashfern, C.

Dated 4th April 1989

David Maclean
Kenneth Carlisle
Two of the Lord's Commissioners
of Her Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations take account of the option of electing to take out a personal pension (as opposed to a statutory judicial pension) which is now available to county court judges and resident magistrates as a result of the Personal Pension Option (No. 1) Regulations (Northern Ireland) 1989 (S.R. 1989 No. 100). The Regulations provide that an office-holder will not have to pay contributions toward a widow's or children's judicial pension during any period when he has elected to take out a personal pension.