
STATUTORY RULES OF NORTHERN IRELAND

1995 No. 389

The Judicial Pensions (Guaranteed Minimum Pension) Order (Northern Ireland) 1995

Entitlement to a pension

4.—(1) An office-holder who attains pensionable age and who has ceased to hold scheduled office shall be entitled to receive, from that age, not less than the guaranteed minimum pension, the weekly rate of which shall be calculated in accordance with section 10, section 12(1) and (5) and section 14 of the Act, unless accrued rights have been extinguished under section 56 of the Act.

(2) The commencement of the office-holder's guaranteed minimum pension may be postponed—

- (a) for a period, not exceeding five years, for which he continues to hold scheduled office after attaining pensionable age;
- (b) with his consent, for a period exceeding five years for which he continues to hold scheduled office after attaining pensionable age; or
- (c) with his consent, for a period for which he continues in employment after attaining pensionable age otherwise than in scheduled office;

and in such a case section 11 of the Act shall apply to the calculation of the guaranteed minimum pension.

(3) An office-holder—

- (a) who attains pensionable age;
- (b) who has ceased to hold scheduled office;
- (c) to whom section 9(2) of the Act applies; and
- (d) who does not have a guaranteed minimum under sections 10 to 12 of the Act,

shall be entitled to receive, from that age, a pension not less than the amount which would be determined as the office-holder's guaranteed minimum, calculated in accordance with paragraph (1), were section 10(3)(b) not to apply to that office-holder.

(4) An office-holder shall be treated as not ceasing to hold office for the purpose of this Order where he moves from one qualifying judicial office to another.

(5) The pension payable under this Article shall continue for the life of the office-holder.