

Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions Act 1981, Part IV. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CERTAIN [F1SENIOR COURTS] AND COUNTY COURT OFFICERS, AND PRESIDENT OF TRANSPORT TRIBUNAL

Textual Amendments

- F1** Words in Sch 1 heading substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 25(4); S.I. 2009/1604, art. 2(d)

PART IV

SUPPLEMENTAL

Temporary abatement of salary to be disregarded

- 18 Any reference in this Schedule to the salary of an office is, as regards any period in respect of which any temporary abatement of salary of that office has been made for the purpose of effecting economy in national expenditure, a reference to the salary which would have been payable to the holder of the office but for that abatement.

Service in the armed forces

- 19 An officer to whom this Schedule applies shall not be entitled to reckon the same period of time both for the purpose of a pension or lump sum under Part II of this Schedule, and for the purpose of naval, military or air force non-effective pay.

Distribution of money without representation

- 20 (1) Where on the death of an officer to whom this Schedule applies any sum not exceeding [F1£5000] is due from a government department in respect of any civil pay, superannuation, or other allowance, annuity or gratuity, then if the responsible authority so direct, but subject to regulations (if any) made by [F2the Treasury], proof of the title of the personal representatives of that person may be dispensed with, and the said sum may be paid or distributed to or among the persons appearing to the department to be beneficially entitled to the personal or moveable estate of that person, or to or among any one or more of those persons or, in the case of the illegitimacy of that person or his children, to or among such persons as the department think fit, and the department shall be discharged from all liability in respect of any such payment or distribution.
- (2) In this paragraph the “responsible authority” means the government department prescribed by order of [F2the Treasury] for the purpose of this paragraph.

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An order under this paragraph shall be contained in a statutory instrument which shall be subject to annulment in pursuance of a resolution of either House or Parliament.

- (3) In sub-paragraph (1) above references to a government department include references to any body or institution listed in Schedule 1 to the ^{M1}Superannuation Act 1972.
- (4) Sub-paragraph (1) above shall be included among the provisions with respect to which the Treasury may make an order under section 6(1) of the ^{M2}Administration of Estates (Small Payments) Act 1965 substituting for references to £500 such higher amount as may be specified in the order.

Textual Amendments

F1 Figure substituted by [S.I. 1984/539, art. 3](#)

F2 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\), s. 118\(4\)\(b\)](#)

Marginal Citations

M1 1972 c. 11.

M2 1965 c. 32.

Delegation of Minister's power to grant pensions or other benefits

- 21 The [^{F3}Treasury] may, to such extent and subject to such conditions as [^{F3}it thinks] fit, delegate to any Minister or officer of the Crown any power of granting a pension or other benefit under this Schedule.

Textual Amendments

F3 Word(s) substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\), s. 118\(7\)\(d\)](#)

Minister to determine certain questions

- 22 The decision of [^{F4}the Treasury] shall be final on any question which arises—
- (a) as to the claim of any person or class of persons under paragraph 4 or 6 above.
 - (b) as to the application of any provision in Part II or III, or this Part, of this Schedule to any person,
 - (c) as to the amount of any pension or lump sum under this Schedule,
 - (d) as to the reckoning of service for any pension or lump sum under this Schedule.

The reference in head (b) above to provisions of this Schedule does not include a reference to paragraph 9 or 23 of this Schedule.

Textual Amendments

F4 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\), s. 118\(4\)\(b\)](#)

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President of the Transport Tribunal

- 23 (1) Any pension benefit paid to or in respect of any person as having been president of the Transport Tribunal shall, subject to sub-paragraph (2) below, be defrayed as part of the expenses of that Tribunal.
- (2) Where the pension benefit mentioned in sub-paragraph (1) above is only partly in respect of service as a president of the Transport Tribunal, it shall be defrayed only as to a proportion as part of the expenses of the Tribunal, and that proportion shall be determined by [^{F5}the Treasury], regard being had to the relevant length of service and rate of remuneration in the relevant offices.
- (3) In this paragraph “pension benefit” includes any superannuation or other retiring allowance or gratuity, and benefits payable to or in respect of the pensioner under Part II of this Act.

Textual Amendments

F5 Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 118(2)

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