

*Changes to legislation:* There are currently no known outstanding effects for the Judicial Pensions Act 1981,  
*Cross Heading:* Pension not wholly attributable to service after 17 April 1973. (See end of Document for details)

## SCHEDULES

### SCHEDULE 2

#### TRANSITORY PROVISIONS

##### PART II

##### DERIVATIVE BENEFITS

*Pension not wholly attributable to service after 17 April 1973*

- 16 (1) [<sup>F1</sup>Subject to paragraph 28 below,] this paragraph applies in determining the amount of a pension under section 19 or 22 of this Act which is payable partly in respect of relevant service after 17 April 1973 but is not attributable wholly to that service.
- (2) The annual value of the widow's pension or children's pension that may be granted shall be determined in accordance with the following formula.

$$\frac{P1 \times RS1}{RS1 + RS2} + \frac{P2 \times RS2}{RS1 + RS2}$$

where—

P1 is the annual amount of the pension that might be granted under Part II of this Act with the modifications in Part III of this Schedule,

P2 is the annual amount of the pension that might be granted under Part II of this Act without those modifications,

RS1 is the length of relevant service before 18 April 1973,

RS2 is the remainder of the relevant service.

[<sup>F2</sup>(2A) There shall be left out of account, in calculating RS2 in sub-paragraph (2) above, any period of service during which an election under section 14A is in force in respect of a person.]

- (3) For the purposes of this paragraph there shall be left out of account so much (if any) of the relevant service before 18 April 1973 as does not add to the amount of the personal pension, and accordingly this paragraph shall not apply if none of the relevant service before that date adds to the amount of the personal pension.

#### Textual Amendments

**F1** Words inserted (1.1.1992) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(3), **Sch. 18 para. 34**; S.I. 1991/2730, art. 2, **Sch.**

**F2** Sch. 2 para. 16(2A) inserted by S.I. 1988/1417, reg. 3, **Sch. para. 3(b)**

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