

*These notes refer to the Constitutional Reform Act 2005  
(c.4) which received Royal Assent on 24 March 2005*

# CONSTITUTIONAL REFORM ACT 2005

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 3 Duty to Convene Commission: Special Rules**

##### **Terms of Appointment**

##### *Section 37: Pensions*

145. Subsections (1) and (2) make amendments to the Judicial Pensions Act 1981 and Judicial Pensions and Retirements Act 1993 respectively, to substitute 'Judge of the Supreme Court' for 'Lord of Appeal in Ordinary'. These amendments are to ensure that the pension provision currently enjoyed by the Lords of Appeal in Ordinary will transfer over to the Justices of the Supreme Court, and that individual members of the Supreme Court who were previously Lords of Appeal in Ordinary will retain the pension benefits accrued in the former capacity and that those benefits will continue to accrue in the same way relative to their service as judges of the Supreme Court as they did relative to their service as Lords of Appeal in Ordinary.
146. Furthermore, subsection (3) provides that the amendments made to the 1981 and 1993 Acts do not affect the operation of any provision or anything done under a provision in relation to the office of, or service as, Lord of Appeal in Ordinary. This ensures that any retired Lords of Appeal in Ordinary are not affected adversely by the changes to legislation.