

PENSIONS ACT 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Judicial Pensions

Section 34: Contributions towards cost of judicial pensions etc

166. *Section 34* inserts a new section 9A into the JUPRA 1993. This section introduces provisions into the current judicial pension scheme to allow contributions to be taken towards the cost of providing personal pension benefits to members of the scheme. Contributions will only be taken during the period in which the individual judge is accruing full pension benefits. However if the judge retires, resigns, or is removed from office during such period contributions will stop being taken from the date he or she leaves office.
167. The judicial pension scheme under the JUPRA 1993 applies to those salaried judicial office-holders listed in Schedule 1 to the JUPRA 1993 who were appointed to judicial office on or after 31 March 1995 or to those judicial office-holders in other judicial pension schemes who have transferred their pension benefits into the JUPRA 1993 scheme. The JUPRA 1993 scheme is, in practice, the main judicial pension scheme applicable to the majority of current salaried judicial office-holders. It also applies to some senior public investigative officers in certain circumstances (section 25 of, and Schedule 4 to, the JUPRA 1993).
168. *Section 34* gives effect to *Schedule 5*.

Schedule 5: Contributions towards cost of judicial pensions etc

169. *Schedule 5* introduces equivalent provisions into the District Judges (Magistrates' Courts) Pensions Act (Northern Ireland) 1960 (the 1960 Act) and the Judicial Pensions Act 1981 (the 1981 Act).
170. These provisions will affect those members of schemes under the 1960 Act, the Sheriffs' Pensions (Scotland) Act 1961 and the 1981 Act who are:
- district judges (magistrates' courts) in Northern Ireland;
 - sheriffs;
 - judicial office-holders referred to in section 7 of the 1981 Act; or
 - judicial office-holders listed in Schedule 1 to the 1981 Act;
- and have yet to accrue full pension benefits under their respective schemes.
171. *Schedule 5* also makes minor technical amendments to the provisions relating to appeals in the Sheriffs' Pensions (Scotland) Act 1961 and the 1981 Act respectively.