

*Status: This version of this part contains provisions that are prospective.  
Changes to legislation: There are currently no known outstanding effects  
for the Judicial Pensions Act 1981, Part I. (See end of Document for details)*

## SCHEDULES

PROSPECTIVE

### [<sup>F1</sup>SCHEDULE 1A

#### TRANSFER OF ACCRUED BENEFITS

##### Textual Amendments

**F1** Sch. 1A inserted (*prosp.*) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), ss. 81, 124, **Sch. 13**

#### PART I

##### GENERAL

##### *Interpretation*

1 [ In this Schedule—  
<sup>F1</sup>(1)]

[<sup>F2</sup>“authorised insurer” means—

- (i) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to effect or carry out contracts of long-term insurance, or
- (ii) an EEA firm of the kind mentioned in paragraph 5(d) of Schedule 3 to that Act, which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to effect or carry out contracts of long-term insurance;]

“disregarded service”, in relation to any member of a scheme, means any period of service in judicial office during which an election under section 14A(9) above is in force in respect of the qualifying member;

“normal pension age” means the earliest age at which, if his service had continued until retirement at that age, a member of a scheme might have been entitled to receive a pension under the scheme;

“prescribed” means prescribed by regulations;

“protected rights” has the same meaning as in the [<sup>F3</sup>the Pension Schemes Act 1993] and, in relation to Northern Ireland, the [<sup>F4</sup>the Pension Schemes (Northern Ireland) Act 1993];

“qualifying member” means a person to whom Part II of this Schedule applies;

“qualifying service” means the service, or relevant service, by reference to which a qualifying member’s entitlement to benefit under the scheme is calculated; and

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“scheme” means the relevant occupational pension scheme constituted by this Act or the Sheriffs’ Pensions (Scotland) Act <sup>M1</sup>1961.

- [<sup>F5</sup>(2) The definition of “authorised insurer” in sub-paragraph (1) must be read with—
- (a) section 22 of the Financial Services and Markets Act 2000;
  - (b) any relevant order under that section;
  - (c) Schedule 2 to that Act.]

#### Textual Amendments

- F1** Sch. 1A para. 1 becomes Sch. 1A para. 1(1) (1.12.2001) by virtue of 1990 c.41, **Sch. 13** (as amended (1.12.2001) by S.I. 2001/3649, **art. 326(1)(2)**)
- F2** Sch. 1A para. 1: definition of “authorised insurer” substituted for definition of “authorised insurance company” (1.12.2001) by 1990 c. 41, **Sch. 13** (as amended (1.12.2001) by S.I. 2001/3649, **art. 326(1)(3)**)
- F3** Words in Sch. 1A para. 1 substituted (7.2.1994) by 1993 c. 48, s. 190, **Sch. 8 para. 14(a)** (with s. 164); S.I. 1994/86, **art. 2**
- F4** Words in Sch. 1A para. 1 substituted (N.I.) (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 18(a)**; S.R. 1994/17, **art. 2**
- F5** Sch. 1A para. 1(2) inserted (1.12.2001) by 1990 c. 41, **Sch. 13** (as amended (1.12.2001) by S.I. 2001/3649, **art. 326(1)(4)**)

#### Modifications etc. (not altering text)

- C1** Sch. 1A para. 1 amended (1.7.1994) by S.I. 1994/1696, reg. 68, **Sch. 8 Pt. I para. 7(2)**

#### Marginal Citations

- M1** 1961 c. 42 (71:2).

### *Regulations*

- 2 Regulations for the purposes of this Schedule—
- (a) may be made, with the concurrence of the Treasury, by the Lord Chancellor or, in relation to Scotland, the Secretary of State;
  - (b) shall be made by statutory instrument;
  - (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament;
  - (d) may make different provision for different cases; and
  - (e) may make provision for consequential, transitional and incidental matters.

### *Other provisions about transfer values*

- 3 [<sup>F6</sup>Chapter 1 of Part 4ZA of the Pension Schemes Act 1993] (transfer values) and [<sup>F7</sup> Chapter 1 of Part 4ZA of the Pension Schemes (Northern Ireland) Act 1993] (corresponding Northern Ireland provisions) shall not apply in relation to those schemes to which this Schedule applies.

#### Textual Amendments

- F6** Words in Sch. 1A para. 3 substituted (6.4.2015) by Pension Schemes Act 2015 (c. 8), s. 89(3)(b), **Sch. 4 para. 1** (with s. 87)

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**F7** Words in Sch. 1A para. 3 substituted (6.4.2015) by Pension Schemes Act 2015 (c. 8), s. 89(3)(b), **Sch. 4 para. 47** (with s. 87)

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