



# Judicial Pensions and Retirement Act 1993

## 1993 CHAPTER 8

### PART I

#### NEW ARRANGEMENTS FOR JUDICIAL PENSIONS

##### *Supplemental provisions*

#### **14 Application of this Part to holders of the office of Lord Chancellor.**

- (1) Not more than one pension shall be paid under section 2 above and the <sup>M1</sup>Lord Chancellor's Pension Act 1832 to a person to whom this Part applies who has also held the office of Lord Chancellor.
- (2) In determining the appropriate annual rate of a pension payable under section 2 above to such a person as is mentioned in subsection (1) above who either—
  - (a) was holding the office of Lord Chancellor immediately before the appointed day, or
  - (b) first held that office on or after that day,the length of his service in qualifying judicial office shall be treated as increased by the aggregate length of his periods of service in the office of Lord Chancellor (excluding any day of service in that office which is also a day of service in qualifying judicial office).
- (3) Where a pension under the <sup>M2</sup>Lord Chancellor's Pension Act 1832 is, or would, but for his death, have been, paid to such a person as is mentioned in subsection (1) above (so that no derivative benefits are payable to or in respect of him under this Act) Part II of the 1981 Act shall continue to have effect with respect to the derivative benefits, within the meaning of that Part, which are payable to or in respect of him by virtue of his service in the office of Lord Chancellor, and shall do so notwithstanding anything in section 11 or 12 above.
- (4) Except as provided by subsection (3) above, no pension or other benefit shall be paid under that Part of that Act to or in respect of a person to whom this Part applies.

*Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions and Retirement Act 1993, Cross Heading: Supplemental provisions. (See end of Document for details)*

#### Marginal Citations

- M1 1832 c. 111.  
 M2 1832 c. 111.

### 15 Circuit judges: the Recorder of London and the Common Serjeant.

Subject to sections 1(8) above and 21 below and to any regulations under section 38 or 39A of the <sup>M3</sup>Superannuation Act 1965 (employment in more than one public office), nothing in this Part shall apply in relation to the pensions and other benefits payable to or in respect of a person in respect of his service as a Circuit judge by virtue of holding the office of Recorder of London or Common Serjeant; and accordingly—

- (a) those matters shall continue to be provided for as mentioned in section 7 of the <sup>M4</sup>City of London (Courts) Act 1964 (remuneration, pensions and other benefits in respect of those offices to be defrayed by the Common Council); and
- (b) service as a Circuit judge by virtue of holding either of those offices shall not be regarded as service in qualifying judicial office.

#### Marginal Citations

- M3 1965 c. 74.  
 M4 1964 c. iv.

### 16 Disregard of abatement of pension under s.65 of the Social Security Act 1973 etc.

In making any calculation for the purposes of sections 4 to 8 above, any abatement of a pension falling to be made under any order made under—

- <sup>F1</sup>[(a) section 141 of the Pension Schemes Act 1993 (modification of public service schemes) or section 143 of that Act (winding up of public service schemes);]  
<sup>F2</sup>[(b) section 137 or 139 of the Pension Schemes (Northern Ireland) Act 1993 (corresponding Northern Ireland provisions);]  
 shall be left out of account.

#### Textual Amendments

- F1 S. 16(a) substituted (7.2.1994) by 1993 c. 48, s. 190, **Sch. 8 para. 46(2)** (with s. 6(8)); S.I. 1994/86, **art. 2**  
 F2 S. 16(b) substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 43(3)**; S.R. 1994/17, **art.2**

### <sup>F3</sup>17 Effect of certain nullity decrees.

Where a marriage or civil partnership which is voidable, but not void from the beginning, is annulled by any court, the same results shall follow under this Part as would have followed if the marriage or the civil partnership had not been voidable but had been dissolved at the date of the annulment.]

---

**Changes to legislation:** There are currently no known outstanding effects for the Judicial Pensions and Retirement Act 1993, Cross Heading: Supplemental provisions. (See end of Document for details)

---

.....

**Textual Amendments**

- F3** S. 17 substituted (5.12.2005) by [The Civil Partnership \(Judicial Pensions and Church Pensions, etc.\) Order 2005 \(S.I. 2005/3325\)](#), **art. 74**

**18 Continuity of tax treatment.**

**F4** .....

.....

**Textual Amendments**

- F4** S. 18 ceased to have effect (6.4.2006) by virtue of [The Taxation of Judicial Pensions \(Consequential Provisions\) Order 2006 \(S.I. 2006/497\)](#), **art. 5**

**Changes to legislation:**

There are currently no known outstanding effects for the *Judicial Pensions and Retirement Act 1993*, Cross Heading: Supplemental provisions.