

## SCHEDULES

### SCHEDULE 9

#### TRIBUNALS: TRANSITIONAL PROVISION

#### PART 3

#### JUDGES AND OTHER MEMBERS OF FIRST-TIER AND UPPER TRIBUNALS: PENSIONS WHERE OFFICE ACQUIRED UNDER SECTION 31(2)

#### *Interpretation of Part 3 of Schedule*

- 10 For the purposes of this Part of this Schedule—
- (a) “new office” means—
    - (i) the office of judge of the First-tier Tribunal by virtue of being a transferred-in judge of the First-tier Tribunal,
    - (ii) the office of other member of the First-tier Tribunal by virtue of being a transferred-in other member of the First-tier Tribunal,
    - (iii) the office of judge of the Upper Tribunal by virtue of being a transferred-in judge of the Upper Tribunal, and
    - (iv) the office of other member of the Upper Tribunal by virtue of being a transferred-in other member of the Upper Tribunal;
  - (b) a person holds an office “on a salaried basis” if and so long as, and to the extent that—
    - (i) the person’s service in the office is remunerated by payment of a salary, and
    - (ii) the salary is not subject to terms which preclude rights to pensions and other benefits accruing by reference to it;
  - (c) a person shall be regarded as holding “qualifying judicial office” at any time when he holds, on a salaried basis, any one or more of the offices specified in Schedule 1 to the 1993 Act, and any reference to a “qualifying judicial office” is a reference to any office specified in that Schedule if it is held on a salaried basis;
  - (d) “the 1993 Act” means the Judicial Pensions and Retirement Act 1993 (c. 8).