
STATUTORY INSTRUMENTS

2005 No. 3325

CIVIL PARTNERSHIP

**The Civil Partnership (Judicial Pensions
and Church Pensions, etc.) Order 2005**

Made - - - - - *2nd December 2005*

Coming into force *5th December 2005*

**THE CIVIL PARTNERSHIP (JUDICIAL PENSIONS
AND CHURCH PENSIONS, ETC.) ORDER 2005**

PART 1

Citation, Commencement and Extent

1. Citation and commencement
2. Extent

PART 2

Amendments of the Judicial Pensions Act (Northern Ireland) 1951

3. The Judicial Pensions Act (Northern Ireland) 1951 is amended as...
4. In the italic heading before section 6 for “Widows' and...
5. (1) Section 6 (power to grant widows' and children's pensions)...
6. (1) Section 6A (widowers' pensions) is amended as follows.
7. (1) Section 7 (widows' and widowers' pensions) is amended as...
8. (1) In section 8 (children's pension: beneficiaries), subsection (4) is...
9. (1) Section 10 (children's pension: rate and mode of payment)...
10. (1) Section 11 (contribution towards cost of widow's and children's...
11. (1) In section 12 (persons serving again after retirement), paragraph...
12. For section 15 (effect under this Act of certain nullity)...
13. In section 16 (Departmental recommendation in certain cases), for “widow's...
14. In section 21 (financial provisions), in subsections (1)(b) and (2)(a)...
15. In section 22 (interpretation), in subsection (1), in the definition...
16. In Schedule 2A (transfer of accrued benefits) (to be inserted)...
17. After Schedule 4 insert the following Schedule— SCHEDULE 4A SURVIVING...

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PART 3

Amendments of the County Courts Act (Northern Ireland) 1959

18. The County Courts Act (Northern Ireland) 1959 is amended as...
19. In the italic heading before section 119 for “Widows' and...
20. For the italic heading before section 122 substitute “Widows', Surviving...
21. (1) Section 122 (power to grant widows' and children's pensions)...
22. (1) Section 122A (widowers' pensions) is amended as follows.
23. (1) Section 123 (widows' and widowers' pensions) is amended as...
24. (1) In section 124 (children's pension: beneficiaries), subsection (4) is...
25. (1) Section 126 (children's pension: rate and mode of payment)...
26. (1) In section 128 (persons serving again after retirement), paragraph...
27. For section 131 (effect under this Act of certain nullity)...
28. In section 132 (recommendation of Lord Chancellor in certain cases),...
29. In section 132A (appeals), in subsection (3)(b), for “or widower”...
30. In section 135 (interpretation of Part 13), in subsection (1),...
31. In Schedule 2A (transfer of accrued benefits) (to be inserted)...
32. After that Schedule insert the following Schedule— SCHEDULE 2B SURVIVING...

PART 4

Amendments of the Resident Magistrates' Pensions Act (Northern Ireland) 1960

33. The Resident Magistrates' Pensions Act (Northern Ireland) 1960 is amended...
34. For the italic heading before section 4 substitute “Widows', surviving...
35. (1) Section 4 (power to grant widows' and children's pensions)...
36. In section 4A (as inserted by paragraph (3) of Schedule...
37. (1) Section 4A (widowers' pensions) (as inserted by Article 3(3)...
38. (1) Section 5 (widows' and widowers' pensions) is amended as...
39. (1) In section 6 (children's pension: beneficiaries), subsection (4) is...
40. (1) Section 8 (children's pension: rate and mode of payment)...
41. (1) In section 10 (resident magistrates serving again after retirement),...
42. For section 15 (effect of certain nullity decrees) substitute— Effect...
43. In section 21A (appeals), in subsection (3)(b), for “or widower”...
44. In section 22 (interpretation), in the definition of “personal pension”,...
45. (1) Schedule 2 (widowers' pensions: transitional provisions) is amended as...
46. In Schedule 3 (transfer of accrued benefits) (to be inserted)...

PART 5

Amendments of the Administration of Justice Act 1973

47. The Administration of Justice Act 1973 is amended as follows....
48. (1) Section 10 (judicial pensions (increase of widow's and children's...

PART 6

Amendments of the Judicial Pensions Act 1981

49. The Judicial Pensions Act 1981 is amended as follows.
50. In section 14A(2) (which relates to election out of the...
51. For the title of Part 2 substitute “LUMP SUMS AND...

52. In section 16 (application of Part 2, and interpretation), in...
53. For the italic cross heading before section 18 substitute “Widows’...
54. (1) Section 18 (conditions of grant) is amended as follows...
55. (1) Section 18A (widowers’ pensions) is amended as follows.
56. (1) Section 19 (widows’ and widowers’ pensions) is amended as...
57. (1) In section 20 (children’s pension: beneficiaries), subsection (5) is...
58. (1) Section 22 (children’s pension: rate and mode of payment)...
59. (1) In section 25 (persons serving again after retirement), subsection...
60. For section 28 (effect of certain nullity decrees) substitute— Effect...
61. In section 29 (recommendation of a Minister required in certain...
62. In section 31 (payments charged on Consolidated Fund), in paragraph...
63. In section 32 (other financial provisions), in subsection (3)(b), for...
64. In section 32A (appeals), in subsection (3)(b), for “or widower”...
65. In Schedule 1 (certain Supreme Court and County Court officers,...
66. In Schedule 1A (transfer of accrued benefits) (to be inserted...
67. In Schedule 2 (transitory provisions), after paragraph 28 insert— PART...
68. In Schedule 3 (consequential amendments), in paragraph 7(3), for “widow’s...

PART 7

Amendments of the Judicial Pensions and Retirement Act 1993

69. The Judicial Pensions and Retirement Act 1993 is amended as...
70. (1) Section 5 (surviving spouse’s pension) is amended as follows...
71. In section 6 (grant and payment of a children’s pension),...
72. (1) Section 8 (rate of children’s pension) is amended as...
73. In the side-note to section 9 (contribution towards cost of...
74. For section 17 (effect of certain nullity decrees) substitute— Effect...
75. In section 20 (appeals), in subsection (3)(b), for “widow or...
76. (1) Section 30 (interpretation) is amended as follows.
77. After Schedule 1 (the offices which may be qualifying judicial...

PART 8

Amendments of Church Measures

78. Church Property (Miscellaneous Provisions) Measure 1960
79. In section 20 (provisions as to pensions of Church Estates...
80. Clergy Pensions Measure 1961
81. (1) In section 17 (payments out of general fund of...
82. Clergy Pensions (Amendment) Measure 1972
83. In section 6 (power of General Synod to make further...
84. Deaconesses and Lay Workers (Pensions) Measure 1980
85. In section 1 (power of Church Commissioners to make payments...
86. Pastoral Measure 1983
87. In Schedule 4 (compensation of clergy), in paragraph 13(1)(c) and...
88. Pensions Measure 1997
89. In section 1 (past service and funded schemes), in subsection...
90. Church of England (Pensions) Measure 2003
91. (1) In section 1 (General Purposes Fund), in subsection (2)—...

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PART 9

Miscellaneous Amendments

92. Amendments of subordinate legislation relating to judicial pensions
93. Schedule 2 amends subordinate legislation made pursuant to the Administration...
94. Schedule 3 amends subordinate legislation made pursuant to the Judicial...
95. Schedule 4 amends subordinate legislation made pursuant to the Judicial...
96. Schedule 5 amends subordinate legislation made pursuant to the Judicial...
97. Schedule 6 makes amendments to other subordinate legislation relating to...
98. Amendments of subordinate legislation, etc. relating to Church pensions Signature

SCHEDULE 1 — Amendments of subordinate legislation made pursuant to the County Courts Act (Northern Ireland) 1959 and the Resident Magistrates' Pensions Act (Northern Ireland) 1960

99. The Judicial Pensions (Additional Voluntary Contributions) Regulations (Northern Ireland) 1995

SCHEDULE 2 — Amendments of subordinate legislation made pursuant to the Administration of Justice Act 1973

1. The Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) Regulations 1987
2. (1) Regulation 2 (interpretation and scope of regulations) is amended...
3. (1) Regulation 4 (application of Part II) is amended as...
4. (1) Regulation 5 (relevant service wholly after 17th April 1973)...
5. (1) Regulation 6 (relevant service partly before 18th April 1973)...
6. After regulation 6 insert— Relevant service partly before 5th December...
7. (1) Regulation 8 (election to make periodical payments) is amended...
8. In the side-note of regulation 9, after “service” insert “in...
9. After regulation 9 (additional payments for back service) insert— Additional...
10. (1) Regulation 10 (method of payment) is amended as follows...
11. (1) Regulation 11 (effect of making periodical payments) is amended...
12. In regulation 12 (non-aggregable service), for “he” and “his”, in...
13. (1) Regulation 13 (refunds of periodical payments) is amended as...

SCHEDULE 3 — Amendments of subordinate legislation made pursuant to the Judicial Pensions Act 1981

1. The Judicial Pensions (Widowers' and Children's Benefits) Regulations 1991
2. (1) Regulation 2 (interpretation and scope of regulations) is amended...
3. In regulation 3 (application of Parts II and III), after...
4. (1) Regulation 4 (application of Part II) is amended as...
5. (1) Regulation 5 (relevant service wholly after 31st December 1991)...
6. (1) Regulation 6 (relevant service partly before 1st January 1992)...
7. After regulation 6 (relevant service partly before 1st January 1992)...
8. (1) Regulation 8 (election to make periodical payments) is amended...
9. In the side-note of regulation 9 (additional payments for back...

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10. After regulation 9 (additional payments for back service) insert—
Additional...
11. (1) Regulation 10 (method of payment) is amended as follows....
12. (1) Regulation 11 (effect of making periodical payments) is amended...
13. In regulation 12 (non-aggregable service) for “she” and “her”, in...
14. (1) Regulation 13 (refunds of periodical payments) is amended as...
15. (1) The Schedule (office of the Lord Chancellor) is amended...

SCHEDULE 4 — Amendments of subordinate legislation made pursuant to the
Judicial Pensions and Retirement Act 1993

1. The Judicial Pensions (Miscellaneous) Regulations 1995
2. (1) Regulation 4B (circumstances in which a personal representative may...
3. The Judicial Pensions (Qualifying Judicial Offices etc.) (City of London)
Order 1995
4. In article 10 (adjustment of overpayment), in paragraph (2)(b) after...
5. The Judicial Pensions (Transfer of Accrued Benefits) Regulations 1995
6. (1) Regulation 6 (Part I scheme: calculation of cash equivalents)...
7. (1) Regulation 7 (section 19 scheme: calculation of cash equivalents)...
8. (1) Regulation 14 (Part I scheme: calculation of pension credit)...
9. (1) Regulation 15 (section 19 scheme: calculation of pension credit)...
10. In Schedule 2 (which shows tables of market level adjustment...
11. The Judicial Pensions (Additional Benefits for Disregarded Earnings)
Regulations 1995
12. In regulation 3 (timing and manner of payments of pensions...
13. The Judicial Pensions (Contributions) Regulations 1998
14. (1) Regulation 2 (interpretation) is amended as follows.
15. (1) Regulation 12 (contributions liability period) is amended as follows....
16. (1) Regulation 15 (refund of contributions-section 1(1)(a) office holders)
is...

SCHEDULE 5 — Amendments of subordinate legislation made pursuant to the
Judicial Pensions Act 1981 and the Judicial Pensions and Retirement
Act 1993

1. The Judicial Pensions (Additional Voluntary Contributions) Regulations
1995
2. In regulation 1.2 (interpretation), in the definition of “additional voluntary...
3. In regulation 2.8 (aggregated retirement benefit), in paragraph (2), after...
4. (1) Regulation 2.10 (rate of surviving spouse’s or children’s pension)...
5. In regulation 2.24 (benefits which may be provided), in paragraph...
6. In regulation 2.25 (payment of benefits), in paragraph (b), after...
7. In regulation 4.1 (interpretation: JASSPS), in paragraph (2), after
“surviving...
8. (1) Regulation 4.2 (membership: JASSPS) is amended as follows.
9. In regulation 4.4 (limits on the added benefits that may...
10. In regulation 4.7 (manner of making contributions into the JASSPS),...
11. (1) Regulation 4.11 (valuation of benefits under the JASSPS) is...
12. (1) Regulation 4.12 (valuation of benefits under the JABS) is...
13. (1) Regulation 4.13 (refund of contributions) is amended as follows....

SCHEDULE 6 — Further amendments of subordinate legislation relating to judicial
pensions

1. The Judicial Pensions (Requisite Benefits) Order 1988
2. (1) Article 10 (widower’s guaranteed pension) is amended as follows....

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3. The Judicial Pensions (Requisite Benefits) Order (Northern Ireland) 1988
4. (1) Article 10 (widower's guaranteed pension) is amended as follows....
5. The Judicial Pensions (Preservation of Benefits) Order 1995
6. In article 7 (inalienability), after "surviving spouse" insert "or surviving..."
7. The Judicial Pensions (Guaranteed Minimum Pension etc) Order 1995
8. (1) Article 5 (surviving spouse's guaranteed minimum pension) is amended...
9. (1) Article 6 (contribution in the event of marriage during...
10. The Judicial Pensions (Preservation of Benefits) Order (Northern Ireland) 1995
11. In article 7 (inalienability), after "surviving spouse" insert "or surviving..."
12. The Judicial Pensions (Guaranteed Minimum Pension) Order (Northern Ireland) 1995
13. (1) Article 5 (surviving spouse's guaranteed minimum pension) is amended...
14. (1) Article 6 (contribution in the event of marriage during...
15. The Judicial Pensions (Requisite Surviving Spouses' Benefits etc) Order 1997
16. (1) Article 3 (entitlement of surviving spouse to a pension)...
17. In article 4 (which describes when article 3 does not...
18. (1) Article 5 (annual rate of surviving spouse's pension) is...
19. In article 6 (relationship to other benefits), after "surviving spouse",...
20. In article 7 (entitlement to have effect notwithstanding other enactments),...
21. The Judicial Pensions (Requisite Surviving Spouses' Benefits etc) Order (Northern Ireland) 1997
22. (1) Article 3 (entitlement of surviving spouse to a pension)...
23. In article 4 (which describes when article 3 does not...
24. (1) Article 5 (annual rate of surviving spouse's pension) is...
25. In article 6 (relationship to other benefits), after "surviving spouse",...
26. In article 7 (entitlement to have effect notwithstanding other enactments),...

SCHEDULE 7 — Amendments of subordinate legislation, etc. relating to Church pensions

1. Church of England Pensions Regulations 1988
2. Rules of the Church of England Funded Pensions Scheme
3. (1) In the heading to rule 7 (pensions for spouses...
4. Paragraphs 2 and 3 do not affect any other power...

Explanatory Note