
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 76

The Judicial Pensions Regulations (Northern Ireland) 2015

PART 12

Supplementary

CHAPTER 3

Forfeiture and set-off

Forfeiture: offences committed by members

151.—(1) If a member is convicted of a relevant offence, the Department of Justice may, in agreement with the Lord Chief Justice and to the extent that they both consider appropriate, withhold benefits payable under this scheme to or in respect of the member.

(2) Paragraph (3) applies if benefits are to be withheld as a result of an offence falling within paragraph (b) of the definition of “relevant offence”.

(3) The Department of Justice may only withhold that part of a person's pension that exceeds any guaranteed minimum to which the person is entitled under—

- (a) section 10 (earner's guaranteed minimum) of the 1993 Act; or
- (b) section 13 ^{M1}(minimum pension for widows and widowers) of that Act.

(4) In this regulation—

“forfeiture certificate” means a certificate stating that the Department of Justice and the Lord Chief Justice issuing the certificate consider that the offence—

- (a) has been gravely injurious to the administration of justice; or
- (b) is liable to lead to serious loss of confidence in the judiciary; and

“relevant offence” means—

- (a) one or more offences under the Official Secrets Acts 1911 to 1989 [^{F1}, or under section 18 of, or listed in section 33(3)(a) of, the National Security Act 2023,] for which the member has been sentenced on the same occasion to—
 - (i) a term of imprisonment of at least 10 years; or
 - (ii) 2 or more consecutive terms of imprisonment which add up to at least 10 years;
- (b) offences committed in connection with service in qualifying judicial office and in respect of which the Department of Justice and the Lord Chief Justice have issued a forfeiture certificate.

Changes to legislation: *The Judicial Pensions Regulations (Northern Ireland) 2015, Section 151 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

- F1** Words in [reg. 151\(4\)](#) inserted (20.12.2023) by [The National Security Act 2023 \(Consequential Amendments of Subordinate Legislation\) Regulations 2023 \(S.I. 2023/1267\)](#), [reg. 1\(2\)](#), [Sch. para. 46\(2\)](#)

Marginal Citations

- M1** [Section 13](#) was amended by the [Social Security Contributions \(Transfer of Functions, etc.\) \(Northern Ireland\) Order 1999 \(S.I. 1999/671\)](#) [Article 3](#), [Schedule 1 paragraph 42](#), the [Civil Partnership \(Contracted-out Occupational and Appropriate Personal Pension Schemes\) \(Surviving Civil Partners\) Order \(Northern Ireland\) 2005 \(S.R. 2005 No. 433\)](#) [Schedule 1](#), [paragraph 5](#), the [Child Support, Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4\) \(N.I.\)](#) [sections 52](#), [67](#), [Schedule 5 paragraph 1](#), [Schedule 3, paragraph 3](#), the [Pensions \(Northern Ireland\) Order 2005 \(S.I. 2005/255\) \(N.I. 1\)](#) [Article 261\(2\)](#), the [Pensions Act \(Northern Ireland\) 2008 \(c. 1\(N.I.\)\)](#) [section 12\(2\)](#).

Changes to legislation:

The Judicial Pensions Regulations (Northern Ireland) 2015, Section 151 is up to date with all changes known to be in force on or before 18 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 3 para. 7A inserted by [S.R. 2016/138 reg. 2\(2\)](#) (On the coming into operation day of this amendment Sch. 3 para. 7 of SR2015 No. 76 ceases to have effect.)