



# Superannuation (Miscellaneous Provisions) Act 1967

## 1967 CHAPTER 28

### **3 Effect of pension in respect of public office on remuneration in judicial or related office.**

- (1) Where, in the case of any person who after the passing of this Act becomes the holder of an office to which this section applies, there is payable to that person any pension in respect of any other public office in the United Kingdom to which he had previously been appointed or elected, then, subject to subsection (2) of this section, the remuneration which would apart from this section be payable to that person as holder of the first-mentioned office shall be abated by the amount of that pension.
- (2) Where the Treasury are satisfied that the office to which this section applies held by any such person is held on a part-time basis only, the reference in subsection (1) of this section to the amount of the pension there referred to shall be construed as a reference to such amount as appears to the Treasury to bear to the full amount of that pension the same proportion as the remuneration payable to that person as the holder of that office bears to what that remuneration would have been if the office had been held on a full-time basis.
- (3) For the purpose of computing the pension payable to any such person in respect of the office to which this section applies held by him and any derivative benefit within the meaning of the Administration of Justice (Pensions) Act 1950 which depends upon his eligibility for such a pension, the amount of that person's annual remuneration as the holder of that office shall, notwithstanding that the remuneration is abated by reason of this section, be treated as the amount which would be payable apart from this section and not the amount as so abated.
- (4) This section applies to the following judicial and related offices, that is to say—
  - (a) any office to which there is applicable for the time being, whether with or without modifications, any of the following enactments relating to pensions or retiring age as for the time being in force, namely—
    - (i) section 1 of the Police Magistrates (Superannuation) Act 1915;

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*Status: This is the original version (as it was originally enacted).*

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- (ii) section 127(1) or 128(1) of the Supreme Court of Judicature (Consolidation) Act 1925;
- (iii) section 9 or 21 of the County Courts Act 1934;
- (iv) section 33 of the Justices of the Peace Act 1949;
- (v) section 22 of the Administration of Justice (Pensions) Act 1950;
- (vi) section 34(1) of the Courts-Martial (Appeals) Act 1951;
- (vii) section 1 of the Supreme Court Officers (Pensions) Act 1954;
- (viii) section 4(5) of the Criminal Justice Administration Act 1956;
- (ix) section 50 of the Hertfordshire County Council Act 1960;
- (x) the Sheriffs' Pensions (Scotland) Act 1961 (including section 20 of the Sheriff Courts (Scotland) Act 1907 as saved by section 9 of the said Act of 1961);
- (xi) section 5 of the Kent Quarter Sessions Act 1962;
- (xii) section 81 of the Durham County Council Act 1963;
- (xiii) section 79 of the National Insurance Act 1965;
- (xiv) section 9 of this Act;
- (b) salaried chairman or salaried deputy chairman of any court of quarter sessions for the county palatine of Lancaster;
- (c) chairman of the Scottish Land Court;
- (d) chairman or deputy chairman of the Monopolies Commission;
- (e) member appointed under section 4(1) of the Restrictive Trade Practices Act 1956 of the Restrictive Practices Court;
- (f) president of the Industrial Court constituted under the Industrial Courts Act 1919;
- (g) president or other member of the Lands Tribunal or (in the event of the coming into force of section 1(1)(a) of the Lands Tribunal Act 1949) of the Lands Tribunal for Scotland.