

SCHEDULES

SCHEDULE 10

Modifications etc. (not altering text)

- C1** Certain functions transferred by [S.R. 1976/281](#), [art. 3](#), [Sch.](#), [S.I. 1982/338](#) (N.I. 6) arts. 3, 4(1) and Social Security Act 1986 (c. 50 SIF 113:1) s. 82, Sch. 9 Pt. III para. 10
- C1** Power to amend Sch. 10 conferred by [S.I. 1986/1888](#) (N.I. 18), [arts. 18\(3\)](#), [79\(1\)\(6\)](#)

Commissioners' pensions: supplementary

- [^{F1}7A (1) The provisions regulating the pensions which may be received under paragraph 6 are to take effect subject to the modifications contained in this paragraph.
- (2) In this paragraph—
- “ Commissioners' pension scheme ” means the occupational pension scheme constituted by this Act and the Judicial Pensions Act (Northern Ireland) 1951;
- “ election ” means an election made under sub-paragraph (3);
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- (3) A person who is eligible for a pension in respect of his office as a Commissioner shall while in that office:
- (a) be deemed to be a member of the Commissioners' pension scheme except during such time as an election is in force in respect of him; and
- [^{F3}(b) be entitled at any time to serve on the Lord Chancellor a written notice of election not to be a member of the Commissioners' pension scheme, to take effect on a date not less than one month after the date on which it was served.]
- (4) At any time after a person has made an election and while he continues to hold office as a Commissioner:
- (a) he may make a written application to the Lord Chancellor requesting admission to membership of the Commissioners' pension scheme; and
- (b) the Lord Chancellor may, if satisfied that the applicant is in good health, admit him to that scheme on a date not less than three months after the date on which the application was served; and
- (c) upon the date of the applicant's admission to the Commissioners' pension scheme, his election shall cease to be in force.
- (5) An applicant under sub-paragraph (4) shall supply such evidence relating to his health as the Lord Chancellor may reasonably require and shall submit to any medical examination reasonably specified by the Lord Chancellor.
- (6) The Lord Chancellor shall notify an applicant under sub-paragraph (4) of his decision in writing within three months after the date on which the application was served.

Changes to legislation: There are currently no known outstanding effects for the Social Security (Northern Ireland) Act 1975, Paragraph 7A. (See end of Document for details)

- (7) Subject to the provisions of sub-paragraph (4), an election shall be irrevocable.
- (8) An election shall not affect its maker's eligibility for a pension which accrued under a judicial pension scheme before that election came into force.
- (9) While an election remains in force in respect of a person, his service shall not be counted as service or relevant service in computing the pension for which he is eligible under any judicial pension scheme.]

Textual Amendments

- F1** Para. 7A inserted by S.R. (N.I.) No. 1989/100, reg. 5 Sch. 4.
- F2** Words in Sch. 10 para. 7A(2) omitted (19.12.2003) by virtue of [The Election Against Benefits Regulations \(Northern Ireland\) 2003 \(S.R. 2003/482\)](#), regs. 1(1), **4(2)(a)**
- F3** Sch. 10 para. 7A(3)(b) substituted (19.12.2003) by [The Election Against Benefits Regulations \(Northern Ireland\) 2003 \(S.R. 2003/482\)](#), regs. 1(1), **4(2)(b)**
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Modifications etc. (not altering text)

- C1** Para. 7A excluded by [Social Security Administration \(Northern Ireland\) Act 1992 \(c. 8, SIF 113:1\)](#), **ss. 39, 41, 48–50** Sch. 2 para. 1(6)
- C2** Sch. 10 para. 7A: power to modify conferred (7.2.1994) by 1993 c. 49, ss. 182, 183, 184, **Sch. 5 Pt. II para. 17(2)(3)(h)**; S.R. 1994/17, **art. 2**
- C3** Sch. 10 para. 7A(3) modified (31.3.1995) by 1993 c. 8, **ss. 13(8)(9)(f)**; S.I. 1995/631, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Social Security (Northern Ireland) Act 1975, Paragraph 7A.