



# Judicial Pensions Act 1981

## 1981 CHAPTER 20

### PART II

#### [<sup>F1</sup>LUMP SUMS AND WIDOWS', SURVIVING CIVIL PARTNERS' AND CHILDREN'S PENSIONS]

##### *Special cases*

#### 25 Persons serving again after retirement.

- (1) Where any person after retirement from service in a judicial office resumes <sup>F1</sup> . . . service, that retirement shall be left out of account for all the purposes of this Part of this Act except that—
  - (a) if a lump sum was granted on that retirement without any contribution [<sup>F2</sup>by virtue of section 23] being made, then unless that person on resumption of <sup>F1</sup> . . . service, or within three months of <sup>F1</sup> . . . marrying [<sup>F3</sup>or forming a civil partnership] while again serving, refunds by way of contribution such sum, not exceeding three quarters of the lump sum granted on the prior retirement as [<sup>F4</sup>the Treasury] may determine, no pension shall be granted to any [<sup>F5</sup>widow, widower [<sup>F6</sup>, surviving civil partner] or child of that person], and
  - (b) any lump sum granted on that retirement, less any refund, shall be set off against any lump sum to be granted in respect of [<sup>F7</sup>that person's] service.

<sup>F8</sup>(2) .....

- (3) Where a refund is made under subsection (1) above, all such adjustments shall be made, including payments out of the Consolidated Fund or out of money provided by Parliament and payments into the Exchequer, as will secure that the position is the same as if the lump sum had been reduced by an amount equal to the refund and no refund had been made.

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*Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 25. (See end of Document for details)*

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### Textual Amendments

- F1** Word in s. 25 repealed (1.1.1992) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**; S.I. 1991/2730, art. 2, **Sch.**
- F2** Words in s. 25(1)(a) inserted (3.1.2012) by Pensions Act 2011 (c. 19), s. 38(4), **Sch. 5 para. 2(2)**; S.I. 2011/3034, art. 3(j)
- F3** Words in s. 25(1)(a) inserted (5.12.2005) by The Civil Partnership (Judicial Pensions and Church Pensions, etc.) Order 2005 (S.I. 2005/3325), **art. 59(2)**
- F4** Words in s. 25(1)(a) substituted by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), **s. 118(4)(a)**
- F5** Words in s. 25(1)(a) substituted (1.1.1992) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(3), **Sch. 18 para. 29(a)**; S.I. 1991/2730, **art. 2**, Sch.
- F6** Words in s. 25(1)(a) inserted (5.12.2005) by The Civil Partnership (Judicial Pensions and Church Pensions, etc.) Order 2005 (S.I. 2005/3325), **art. 59(3)**
- F7** Words in s. 25(1)(b) substituted (1.1.1992) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(3), **Sch. 18 para. 29(b)**; S.I. 1991/2730, art. 2, **Sch.**
- F8** S. 25(2) repealed (1.1.1992) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), s. 125(7), **Sch. 20**; S.I. 1991/2730, **art. 2**, Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 25.