

Status: Point in time view as at 06/04/2012.

*Changes to legislation: There are currently no known outstanding effects for the
Judicial Pensions and Retirement Act 1993, Part I. (See end of Document for details)*

SCHEDULES

SCHEDULE 2

TRANSFER OF ACCRUED BENEFITS

Modifications etc. (not altering text)

- C1** Sch. 2 applied (with modifications) (31.3.1995) by 1967 c. 13, **Sch.1 para. 4(1)** (as substituted (31.3.1995) by 1993 c. 8, s. 25, **Sch. 4 Pt. II para. 2**; S.I. 1995/631, **art. 2**)
Sch. 2 applied (with modifications) (31.3.1995) by S.I. 1987/460 (N.I. 5), **art.4A** (as inserted (31.5.1995) by 1993 c. 8, s. 25, **Sch. 4 Pt. IV para. 5(4)**; S.I. 1995/631, **art. 2**)
Sch. 2 applied (with modifications) (31.3.1995) by 1969 c. 10 (N.I.), **Sch.1A para. 4(1)** (as inserted (31.3.1995) by 1993 c. 8, s. 25, **Sch. 4 Pt. V para. 6(6)**; S.I. 1995/631, **art. 2**)
Sch. 2 extended (with modifications) (16.7.1996) by S.I. 1996/1298 (N.I. 8), **art. 5(4)**, **Sch. 1 para. 6(2)(3)(4)**
Sch. 2 extended (with modifications) (16.7.1996) by S.I. 1996/1297 (N.I. 7), **art. 4(4)**, Sch. 1 para. 6(2)(3)(4)

PART I

GENERAL

Interpretation

1 ^[F1(1)] In this Schedule—

^[F2]“authorised insurer” means—

- (i) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 to effect or carry out contracts of long-term insurance, or
- (ii) an EEA firm of the kind mentioned in paragraph 5(d) of Schedule 3 to that Act, which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to effect or carry out contracts of long-term insurance;]

“contracted-out scheme” has the same meaning as it has for the purposes of Part III of ^[F3]the Pension Schemes Act 1993] and, in relation to Northern Ireland, ^[F4]Part III of the Pension Schemes (Northern Ireland) Act 1993];

“disregarded service”, in relation to any member of a scheme, means any period of service in qualifying judicial office during which an election under, or an election having effect as if made under, section 13 of this Act is in force in respect of the qualifying member;

“guaranteed minimum pension” has the same meaning as in the ^[F3]the Pension Schemes Act 1993] and, in relation to Northern Ireland, ^[F5]Pension Schemes (Northern Ireland) Act 1993];

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“member”, in relation to a scheme, means a person to whom Part I of this Act applies or has applied;

“normal pension age” means the earliest age at which, if his service in qualifying judicial office had continued until retirement at that age, a member of the scheme constituted by Part I of this Act might have been entitled to receive a pension under the scheme at the appropriate annual rate (otherwise than by reason of infirmity of mind or body);

“occupational pension scheme” has the meaning given by [^{F6}section 1] of [^{F3}the Pension Schemes Act 1993] or, in relation to Northern Ireland, Article 2(2) of the Social Security Pensions (Northern Ireland) Order 1975;

“personal pension scheme” has the meaning given by [^{F7}section 1 of the Pension Schemes Act 1993] or, in relation to Northern Ireland, [^{F8}section 1 of the Pension Schemes (Northern Ireland) Act 1993];

“prescribed” means prescribed by regulations;

“qualifying member” means a person to whom Part II of this Schedule applies;

“qualifying service” means the service by reference to which a qualifying member’s entitlement to benefit under the scheme is calculated; and

“scheme” means the relevant occupational pension scheme constituted by Part I or section 19 of this Act.

[^{F11}(2) The definition of “authorised insurer” in sub-paragraph (1) must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section;
- (c) Schedule 2 to that Act.]

Textual Amendments

- F1** Sch. 2 para. 1 re-numbered as para. 1(1) (1.12.2001) by [S.I. 2001/3649, arts. 1, 114\(2\)](#)
- F2** Definition of “authorised insurer” in Sch. 2 para. 1(1) substituted (1.12.2001) for the definition of “authorised insurance company” by [S.I. 2001/3649, arts. 1, 114\(3\)](#)
- F3** Sch. 2 para. 1: words in the definition of “guaranteed minimum pension” substituted (7.2.1994) by [1993 c. 48, s. 190, Sch. 8 para. 46\(5\)\(a\)\(i\)](#) (with s. 6(8)); [S.I. 1994/86, art. 2](#)
- F4** Sch. 2 para. 1: words in the definition of “contracted-out scheme” substituted (N.I) (7.2.1994) by [1993 c. 49, s. 184, Sch. 7 para. 43\(5\)\(a\)\(i\)](#); [S.R. 1994/17, art. 2](#)
- F5** Sch. 2 para. 1: words in the definitions of “guaranteed minimum pension” and “protected rights” substituted (7.2.1994) by [1993 c. 49, s. 184, Sch. 7 para. 43\(5\)\(a\)\(ii\)](#); [S.R. 1994/17, art. 2](#)
- F6** Sch. 2 para. 1: words in the definition of “occupational pension scheme” substituted (7.2.1994) by [1993 c. 48, s. 190, Sch. 8 para. 46\(5\)\(a\)\(ii\)](#) (with s. 6(8)); [S.I. 1994/86, art. 2](#)
- F7** Sch. 2 para. 1: words in the definition of “personal pension scheme” substituted (7.2.1994) by [1993 c. 48, ss. 190, 193\(2\), Sch. 8 para. 46\(5\)\(a\)\(iii\)](#) (with s. 6(8)); [S.I. 1994/86, art. 2](#)
- F8** Sch. 2 para. 1: words in the definition of “personal pension scheme” substituted (7.2.1994) by [1993 c. 49, s. 184, Sch. 7 para. 43\(5\)\(a\)\(iii\)](#); [S.R. 1994/17](#)
- F9** Words in Sch. 2 para. 1(1) omitted (N.I.) (6.4.2012) by virtue of [The Pensions \(2008 No. 2 Act\) \(Abolition of Protected Rights\) \(Consequential Provisions\) Order \(Northern Ireland\) 2012 \(S.R. 2012/124\)](#), arts. 1(b), 3(a)
- F10** Words in Sch. 2 para. 1(1) substituted (6.4.2012) by [The Pensions Act 2008 \(Abolition of Protected Rights\) \(Consequential Amendments\) \(No.2\) Order 2011 \(S.I. 2011/1730\)](#), arts. 1(2)(b), 4
- F11** Sch. 2 para. 1(2) inserted (1.12.2001) by [S.I. 2001/3649, arts. 1, 114\(4\)](#)

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Modifications etc. (not altering text)

C1 Sch. 2 para. 1 amended (1.7.1994) by 1994/1696, reg. 68, Sch. 8 Pt. I para. 22(2)

Regulations

2 Regulations for the purposes of this Schedule may be made, with the concurrence of the Treasury, by the Lord Chancellor or, in relation to Scotland, the Secretary of State.

Other provisions about transfer values

3 [^{F12}Chapter IV of Part IV of the Pension Schemes Act 1993] (transfer values) and [^{F13}Chapter IV of Part IV of the Pension Schemes (Northern Ireland) Act 1993] (corresponding Northern Ireland provisions) shall not apply in relation to those schemes to which this Schedule applies.

Textual Amendments

F12 Words in Sch. 2 para. 3 substituted (7.2.1994) by 1993 c. 48, s. 190, **Sch. 8 para. 46(5)(b)**; S.I. 1994/86, **art. 2**

F13 Words in Sch. 2 para. 3 substituted (7.2.1994) by 1993 c. 49, s. 184, **Sch. 7 para. 43(5)(b)**; S.R. 1994/17, **art. 2**

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