
Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions and Retirement Act 1993, Paragraph 7. (See end of Document for details)

SCHEDULES

SCHEDULE 3

CORRESPONDING MINOR AMENDMENTS TO OTHER PENSIONS ENACTMENTS

PART III

AMENDMENTS OF NORTHERN IRELAND PROVISIONS

Appeals

- 7 (1) The following enactments (which correspond to section 15 of the 1981 Act) shall cease to have effect, that is to say—
- (a) section 116(6) of the 1959 Act;
 - (b) section 14 of the 1960 Act;
 - (c) paragraph 6(4) of Schedule 10 to the 1975 Act.
- (2) The section set out in sub-paragraph (3) below shall be inserted—
- (a) numbered as section 132A, after section 132 of the 1959 Act;
 - (b) numbered as section 21A, after section 21 of the 1960 Act.
- (3) The section inserted by sub-paragraph (2) above is as follows—

Appeals.

- “0 (1) If any person to whom this section applies is aggrieved by any decision taken by the administrators of a relevant pension scheme concerning—
- (a) the interpretation of the rules of the scheme, or
 - (b) the exercise of any discretion under the scheme,
- he shall have a right of appeal to the Lord Chancellor against that decision.
- (2) On deciding an appeal under this section, the Lord Chancellor may give to the administrators such directions as he considers necessary or expedient for implementing his decision.
- (3) The persons to whom this section applies are the following—
- (a) any member of the scheme;
 - (b) the widow or widower, or any surviving dependant, of a deceased member of the scheme;
 - (c) where the decision relates to the question—
 - (i) whether a person who claims to be such a person as is mentioned in paragraph (a) or (b) is such a person, or
 - (ii) whether a person who claims to be entitled to become a member of the scheme is so entitled,the person so claiming.

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- (4) The Lord Chancellor may by regulations make provision as to the manner in which, and time within which, appeals under this section are to be brought.
 - (5) Regulations made under this section shall be subject to annulment in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946 shall apply accordingly.
 - (6) The administrators shall be entitled to appear and be heard on any appeal under this section.
 - (7) In this section—
 - “the administrators”, in relation to a pension scheme, means the persons entrusted with the administration of the scheme;
 - “member”, in relation to a pension scheme, means a person whose service in an office is, was or is to be subject to the scheme;
 - “relevant pension scheme” means any pension scheme constituted under or by virtue of this Act;
 - “rules”, in relation to a relevant pension scheme, means the provisions of this Act, and of any regulations or orders made under this Act, so far as relating to that scheme.”
- (4) A paragraph in the same terms as the section set out in sub-paragraph (3) above, but with the substitution of the words “ this paragraph ” for the words “this section”, wherever occurring, shall be inserted, numbered as paragraph 7B, after paragraph 7A of Schedule 10 to the 1975 Act.

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