SCHEDULES

VALID FROM 02/10/2000

SCHEDULE 1   Section 1(3).

THE ARTICLES

. . . .

VALID FROM 27/07/2000

SCHEDULE 2   Section 10.

REMEDIAL ORDERS

. . . .

VALID FROM 02/10/2000

SCHEDULE 3   Sections 14 and 15.

DEROGATION AND RESERVATION

. . . .

SCHEDULE 4   Section 18(6).

JUDICIAL PENSIONS

Duty to make orders about pensions

1   (1) The appropriate Minister must by order make provision with respect to pensions payable to or in respect of any holder of a judicial office who serves as an ECHR judge.

    (2) A pensions order must include such provision as the Minister making it considers is necessary to secure that—

(a) an ECHR judge who was, immediately before his appointment as an ECHR judge, a member of a judicial pension scheme is entitled to remain as a member of that scheme;

(b) the terms on which he remains a member of the scheme are those which would have been applicable had he not been appointed as an ECHR judge; and

(c) entitlement to benefits payable in accordance with the scheme continues to be determined as if, while serving as an ECHR judge, his salary was that which would (but for section 18(4)) have been payable to him in respect of his continuing service as the holder of his judicial office.

Contributions

2   A pensions order may, in particular, make provision—

(a) for any contributions which are payable by a person who remains a member of a scheme as a result of the order, and which would otherwise be payable by deduction from his salary, to be made otherwise than by deduction from his salary as an ECHR judge; and

(b) for such contributions to be collected in such manner as may be determined by the administrators of the scheme.

Amendments of other enactments

3   A pensions order may amend any provision of, or made under, a pensions Act in such manner and to such extent as the Minister making the order considers necessary or expedient to ensure the proper administration of any scheme to which it relates.

Definitions

4   In this Schedule—

"appropriate Minister" means—

(a) in relation to any judicial office whose jurisdiction is exercisable exclusively in relation to Scotland, the Secretary of State; and

(b) otherwise, the Lord Chancellor;

"ECHR judge" means the holder of a judicial office who is serving as a judge of the Court;

"judicial pension scheme" means a scheme established by and in accordance with a pensions Act;

"pensions Act" means—

(a) the [M1]County Courts Act Northern Ireland) 1959;

(b) the [M2]Sheriffs' Pensions (Scotland) Act 1961;

(c) the [M3]Judicial Pensions Act 1981; or

(d) the [M4]Judicial Pensions and Retirement Act 1993; and

"pensions order" means an order made under paragraph 1.

Marginal Citations
M1   1959 c. 25 (N.I.).

M2	1961 c. 42.
M3	1981 c. 20.
M4	1993 c. 8.

Status:
Point in time view as at 09/11/1998.

Changes to legislation:
Human Rights Act 1998 is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.