

*These notes refer to the Justice (Northern Ireland) Act
2002 (c.26) which received Royal Assent on 24th July 2002*

JUSTICE (NORTHERN IRELAND) ACT 2002

EXPLANATORY NOTES

COMMENTARY

Part 1: the Judiciary

Other Provisions

Section 21: Judicial Pensions: pension sharing

40. The Welfare Reform and Pensions (Northern Ireland) Order 1999 provided for pension sharing on divorce or nullity of marriage. Article 40 of this Order allows for subordinate legislation to be made to ensure that various judicial pensions schemes are able to accommodate the new pension sharing regime. The corresponding power in England and Wales has been used to direct transfer payments away from older judicial pension schemes, which are closed to new members, and into the pension scheme constituted under the Judicial Pensions and Retirement Act 1993. Section 21 allows for a similar approach to be adopted in Northern Ireland by amending Article 40 of the 1999 Order to include a reference to the Judicial Pensions Act 1981 and the Judicial Pensions and Retirement Act 1993.