

Status: Point in time view as at 19/09/2007.

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Cross Heading: Judicial Pensions and Retirement Act 1993 (c. 8) is up to date with all changes known to be in force on or before 15 June 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. (See end of Document for details)

SCHEDULES

SCHEDULE 8

TRIBUNALS AND INQUIRIES: CONSEQUENTIAL AND OTHER AMENDMENTS

Judicial Pensions and Retirement Act 1993 (c. 8)

- 31 (1) The Judicial Pensions and Retirement Act 1993 is amended as follows.
- (2) In section 26 (retirement date for holders of certain judicial offices etc.), subsection (7) is amended as follows.
- (3) In paragraph (f), for the words from “(persons” to the end substitute “ (holders of relevant office); ”.
- (4) After paragraph (g) insert—
- “(ga) hold office as a deputy judge of the Upper Tribunal if—
- (i) section 94B of the Constitutional Reform Act 2005 applied to the appointment, and
- (ii) his corresponding qualifying office was listed in section 6(1) of the Tribunals, Courts and Enforcement Act 2007;”.
- (5) In Part 2 of Schedule 1 (offices which may be qualifying judicial offices for purposes of the pensions provisions), at the end of the part dealing with the members of tribunals insert— “Judge or other member of the First-tier Tribunal appointed under paragraph 1(1) or 2(1) of Schedule 2 to the Tribunals, Courts and Enforcement Act 2007 Judge or other member of the Upper Tribunal appointed under paragraph 1(1) or 2(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007 Transferred-in judge, or transferred-in other member, of the First-tier Tribunal or of the Upper Tribunal (see section 31(2) of the Tribunals, Courts and Enforcement Act 2007) Senior President of Tribunals Chamber President, or Deputy Chamber President, of a chamber of the First-tier Tribunal or of a chamber of the Upper Tribunal ”.
- (6) In Schedule 5 (retirement provisions: the relevant offices), at the end insert— “ Judge or other member of the First-tier Tribunal appointed under paragraph 1(1) or 2(1) of Schedule 2 to the Tribunals, Courts and Enforcement Act 2007 Judge or other member of the Upper Tribunal appointed under paragraph 1(1) or 2(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007 Transferred-in judge, or transferred-in other member, of the First-tier Tribunal or of the Upper Tribunal (see section 31(2) of the Tribunals, Courts and Enforcement Act 2007) Senior President of Tribunals Deputy judge of the Upper Tribunal appointed under paragraph 7(1) of Schedule 3 to the Tribunals, Courts and Enforcement Act 2007, except in a case where the holding of the office by the person in question falls within section 26(7)(ga) of this Act Deputy judge of the Upper Tribunal by virtue of an order under section 31(2) of the Tribunals, Courts and Enforcement Act 2007 Chamber President, or Deputy Chamber President, of a chamber of the First-tier Tribunal or of a chamber of the Upper Tribunal ”.

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Commencement Information

- II** Sch. 8 para. 31 wholly in force at 3.11.2008; Sch. 8 para. 31 not in force at Royal Assent see s. 148; Sch. 8 para. 31(1)-(3) in force at 19.9.2007 by S.I. 2007/2709, art. 2(c)(i); Sch. 8 para. 31(4)-(6) in force at 3.11.2008 by S.I. 2008/2696, art. 5(c)(i)

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