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STATUTORY INSTRUMENTS

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**1988 No. 1418**

**The Judicial Pensions (Preservation of Benefits) Order 1988**

**PART III**

**PRESERVED BENEFITS**

**Office-holder's pension**

5.—(1) An office-holder who has completed two years of relevant service, but who has ceased to hold office before normal pension age, becomes eligible for a pension when he reaches whichever is the later of age 60 and —

- (a) in the case of an office-holder who has made an election under article 7(1), retirement age: or
- (b) in any other case, normal pension age.

(2) The annual rate at which that pension may be paid shall bear to the full rate the same proportion as the number of completed years of relevant service bears to the number of completed years which the office-holder would have served if his service had continued until —

- (a) in the case of an office-holder who has made an election under article 7(1), retirement age; or
- (b) in any other case, normal pension age.

(3) In this article, “retirement age” means the age at which an election would have been available to the office-holder under the relevant enactment applicable to him.