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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order supersedes the Judicial Pensions (Preservation of Benefits) Order 1987, (which consolidated existing Orders modifying pension schemes applicable to holders of the judicial offices listed in schedule 1). This Order provides for a reduced pension and derivative benefits (lump sum and widows' and children's pensions) to be preserved, and to become payable, in the case of an office-holder who ceases to hold office before reaching normal pension age.

Article 5 provides that the reduced pension may be paid at the age at which the office-holder would normally become eligible to be granted a pension (or at which he might elect for service in successive offices to be aggregated for pension purposes) and provides the proportion on the basis of which the pension is to be calculated. Article 6 enables a reduced lump sum to be paid to an office-holder who becomes eligible for a pension by virtue of the Order. It also enables reduced widows' and children's pensions to be paid whether the office-holder dies before or after reaching the age at which he would otherwise have become eligible to be granted a pension. Article 7 provides for the rules relating to successive service in more than one judicial office to be applied, if the office-holder so elects, to benefits preserved by virtue of the Order.

The Order reduces from five to two, the number of years relevant service which must be completed for benefits to be preserved. It makes no other change of substance; it does not apply in the case of an office-holder who ceases to hold office before it comes into force on 1st September 1988: in such a case, the previous Order will continue to apply.