
Changes to legislation: There are currently no known outstanding effects for the
Judicial Pensions Act 1981, Paragraph 15. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CERTAIN ^{F1}SENIOR COURTS] AND COUNTY COURT OFFICERS, AND PRESIDENT OF TRANSPORT TRIBUNAL

Textual Amendments

- F1** Words in [Sch 1](#) heading substituted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\), ss. 59\(5\), 148\(1\), Sch. 11 para. 25\(4\)](#); [S.I. 2009/1604, art. 2\(d\)](#)

PART III

PERSONS INJURED, OR CONTRACTING DISEASE, IN DISCHARGE OF THEIR DUTIES

- 15 (1) This paragraph applies where an officer to whom this Schedule applies—
- (a) is injured in the actual discharge of his duty by some injury specifically attributable to the nature of his duty which is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, or
 - (b) is injured while in an area outside the United Kingdom for the purposes of his employment, and the injury is directly attributable to the existence in or near that area of a state of war, revolution, or serious and widespread internal disturbance, or is the direct result of deliberate acts of the local population or of sporadic political disturbances, and is not wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct, or
 - (c) contracts a disease to which he is exposed by the nature of his duty, not being a disease wholly or mainly due to, or seriously aggravated by, his own serious and culpable negligence or misconduct.
- (2) ^{F1}The Treasury] may grant to the officer, and, if he dies as a direct result of the injury or disease, to all or any of the following persons, that is to say—
- (a) his widow ^{F2}or, in the case of a female officer, her widower],
 - ^{F3}(aa) his or her surviving civil partner,]
 - (b) his mother, or, where his mother is dead, his father, if his mother, or, as the case may be, his father, is wholly or mainly dependent on him at the time of his death.
 - (c) his children, and
 - (d) where he has no children who are, under the terms of the warrant hereinafter mentioned, eligible for the grant of a gratuity or allowance under this paragraph, any brother or sister of his who is wholly or mainly dependent on him at the time of his death,

*Changes to legislation: There are currently no known outstanding effects for the
 Judicial Pensions Act 1981, Paragraph 15. (See end of Document for details)*

such gratuity or annual allowance as [^{F1}the Treasury] may consider reasonable, and as may be permitted by the terms of a warrant of [^{F1}the Treasury] under this paragraph.

(3) ^{F4}

- (4) Where an officer to whom this Schedule applies is employed outside the United Kingdom for the purposes of Her Majesty’s Government in the United Kingdom and suffers an aggravation of a disease from which he is already suffering, being an aggravation to which he is exposed by the nature of his duty outside the United Kingdom and which is not wholly or mainly due to his own serious and culpable negligence or misconduct, this paragraph shall apply in relation to him as if, when he sustained the aggravation, he had contracted such a disease as is mentioned in subparagraph (1)(c) above.
- (5) A warrant under this paragraph may be revoked or varied by a subsequent warrant of [^{F1}the Treasury] thereunder.
- (6) In this paragraph, unless the context otherwise requires—
 “brother” includes, in relation to a person, every male child of his father or mother,
 “child”, in relation to a person, includes an illegitimate child, a stepchild and an adopted child,
 “father” includes, in relation to a person, his stepfather and a male person by whom he has been adopted,
 “mother” includes, in relation to a person, his stepmother and a female person by whom he has been adopted,
 “sister” includes, in relation to a person, every female child of his father or mother.
- (7) [^{F1}The Treasury] may treat a person for all or any of the purposes of this paragraph as wholly or mainly dependent on another person notwithstanding that for the time being he is not in fact so dependent on him, if [^{F5}it is satisfied] that it is reasonable to expect that the first-mentioned person will again become dependent on the second-mentioned person and is further satisfied that the break in dependence ought in all the circumstances to be regarded as a temporary one.

Textual Amendments

- F1** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), **s. 118(4)(b)**
- F2** Words inserted (1.1.1992) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 125(3), **Sch. 18 para. 33**; S.I. 1991/2730, art. 2, **Sch.**
- F3** Sch. 1 para. 15(2)(aa) inserted (5.12.2005) by [The Civil Partnership \(Judicial Pensions and Church Pensions, etc.\) Order 2005 \(S.I. 2005/3325\)](#), **art. 65**
- F4** Sch. 1 para. 15(3) repealed (1.1.1992) by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), s. 125(7), **Sch. 20**; S.I. 1991/2730, art. 2, **Sch.**
- F5** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), **s. 118(7)(b)**

Changes to legislation:

There are currently no known outstanding effects for the Judicial Pensions Act 1981, Paragraph 15.