



Judicial Pensions Act 1981

1981 CHAPTER 20

PART I

RATE OF PENSION

CHAPTER II

OTHER JUDICIAL OFFICES

12 President or chairman of [^{F1}employment tribunals]

- (1) This section applies to any holder on a full-time basis of any of the following offices established by regulations under [^{F2}section 1(1) of [^{F3}the Employment Tribunals Act 1996]], namely—
 - (a) [^{F4}President of the Employment Tribunals (England and Wales)],
 - (b) [^{F5}President of the Employment Tribunals (Scotland)],
 - (c) member of a panel of [^{F6}Employment Judges] so established, if remunerated, apart from any allowances, on an annual basis.
- (2) A person to whom this section applies may on the recommendation of the Secretary of State be granted a pension—
 - (a) if he retires after 15 years relevant service and at the time of his retirement he has attained the age of 65, or
 - (b) if at the time of his retirement he has attained the age of 72, or
 - (c) if the Secretary of State is satisfied by means of a medical certificate that, at the time of his retirement, by reason of infirmity of mind or body, he is incapable of discharging the duties of his office and that the incapacity is likely to be permanent.
- (3) The annual rate of a pension payable under this section to a person retiring after not less than 15 years relevant service shall not exceed one half of his last annual salary.

Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 12. (See end of Document for details)

- (4) The annual rate of a pension payable under this section to a person retiring after less than 15 years relevant service shall not exceed—
- (a) if the period of relevant service is less than 5 years, 6/40ths of his last annual salary,
 - (b) if the period of relevant service is not less than 5 years (but less than 15 years), one quarter of his last annual salary plus 1/40th for each completed year of relevant service exceeding 5.
- (5) In this section the expression “relevant service” means service on a full-time basis as holder of any of the offices referred to in subsection (1) above (including such service remunerated otherwise than on an annual basis) or service in any such other capacity under the Crown as may be prescribed by regulations made by [^{F7}the Treasury]; and regulations under this subsection shall be made by statutory instrument and—
- (a) may be made generally or subject to specified exceptions or in relation to specified cases or classes of case,
 - (b) may provide that in calculating relevant service either the whole of a person’s prescribed service of any description shall be taken into account or such part thereof only as may be determined by or under the regulations,
 - (c) may make different provision for different cases or classes of case, and
 - (d) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In this section “last annual salary” means last annual remuneration apart from any allowances.

Textual Amendments

- F1** Words in sidenote to s. 12 substituted (1.8.1998) by 1998 c. 8, **ss. 1(2)(b)**, 16(2)(3)(b); S.I. 1998/1658, art. 2(1), **Sch. 1**
- F2** Words in s. 12(1) substituted (22.8.1996) by 1996 c. 17, ss. 43, 46, **Sch. 1 para. 6** (with s.38)
- F3** Words in s. 12(1) substituted (1.8.1998) by 1998 c. 8, **ss. 1(2)(c)**, 16(2)(3)(b); S.I. 1998/1658, art. 2(1), **Sch. 1**
- F4** Words in s. 12(1) substituted (1.8.1998) by 1998 c. 8, **ss. 1(2)(d)**, 16(2)(3)(b); S.I. 1998/1658, art. 2(1), **Sch. 1**
- F5** Words in s. 12(1) substituted (1.8.1998) by 1998 c. 8, **ss. 1(2)(e)**, 16(2)(3)(b); S.I. 1998/1658, art.2(1), **Sch. 1**
- F6** Words in s. 12(1)(c) substituted (1.10.2013) by Crime and Courts Act 2013 (c. 22), s. 61(3), **Sch. 14 para. 13(1)**; S.I. 2013/2200, art. 3(g)
- F7** Words substituted by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), **s. 118(4)(a)**

Changes to legislation:

There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 12.