



Judicial Pensions Act 1981

1981 CHAPTER 20

PART I

RATE OF PENSION

CHAPTER II

OTHER JUDICIAL OFFICES

- [^{F1}14A
- (1) The provisions regulating the pensions which may be received under the preceding sections and schedule 1 of this Act and under the Sheriffs' Pensions (Scotland) Act 1961 are to take effect subject to the modifications contained in this section.
 - (2) In this section—
 - “election” means an election made under subsection (3) of this section;
 - “judicial office” means one of the several offices referred to in sections 1, 5, 6, 7, 8, 10, 11, 12, 13 and 14 of and schedule 1 to this Act;
 - “judicial pension schemes” means the occupational pension schemes constituted by this Act and the Sheriffs' Pensions (Scotland) Act 1961 to provide personal pensions and derivative benefits to persons in any of the judicial offices and their [^{F2}widows, surviving civil partners and children], and “judicial pension scheme” and “relevant judicial pension scheme” have corresponding meanings;
 - “the Minister” in relation to judicial office held exclusively in Scotland means the Secretary of State for Scotland and otherwise means the Lord Chancellor;
 - (3) A person who is eligible for a pension in any judicial office shall while in judicial office
 - (a) be deemed to be a member of the relevant judicial pension scheme except during such time as an election is in force in respect of him; and

^{F3}
.....

Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 14A. (See end of Document for details)

- [^{F4}(b) be entitled at any time to serve on the Minister a written notice of election not to be a member of the relevant judicial pension scheme, to take effect on a date not less than one month after the date on which it was served.]
- (4) At any time after a person has made an election and while he continues to hold judicial office
- (a) he may make a written application to the Minister requesting admission to membership of the judicial pension scheme relevant to the judicial office which he holds, and
 - (b) the Minister may, if satisfied that the applicant is in good health, admit him to the relevant judicial pension scheme on a date not less than three months after the date on which the application was served, and
 - (c) upon the date of the applicant's admission to the relevant judicial pension scheme, his election shall cease to be in force.
- (5) An application under subsection (4) above shall supply such evidence relating to his health as the Minister may reasonably require and shall submit to any medical examination reasonably specified by the Minister.
- (6) The Minister shall notify an application under subsection (4) of his decision in writing within three months after the date on which the application was served.
- (7) Subject to the provisions of subsection (4) above, an election shall be irrevocable and an election shall not cease to be in force by reason only of a person becoming the holder of a judicial office different from the one which he held when he made the election.
- (8) An election shall not affect its maker's eligibility for a pension which accrued under any judicial pension scheme before that election came into force.
- (9) While an election remains in force in respect of a person, his service shall not be counted as service or relevant service in computing the pension for which he is eligible under any judicial pension scheme.]

Textual Amendments

- F1** S. 14A inserted by S.I. 1988/1417, reg. 3, **Sch. para. 1**
- F2** S. 14A(2): Words in definition of "judicial pension schemes" substituted (5.12.2005) by [The Civil Partnership \(Judicial Pensions and Church Pensions, etc.\) Order 2005 \(S.I. 2005/3325\)](#), **art. 50**
- F3** S. 14A(2): definition of "personal pension scheme" omitted (19.12.2003) by virtue of [The Judicial Pensions \(Election against Benefits\) Regulations 2003 \(S.I. 2003/2916\)](#), **reg. 3(2)**
- F4** S. 14A(3)(b) substituted (19.12.2003) by [The Judicial Pensions \(Election against Benefits\) Regulations 2003 \(S.I. 2003/2916\)](#), **reg. 3(3)** (with reg. 2(1)(3))

Modifications etc. (not altering text)

- C1** S. 14A(3) modified (31.3.1995) by [1993 c. 8, s. 13\(8\)\(9\)\(a\)](#) (with s. 1); [S.I. 1995/631](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 14A.