



# Courts and Legal Services Act 1990

## 1990 CHAPTER 41

### PART III

#### JUDICIAL AND OTHER OFFICES AND JUDICIAL PENSIONS

##### *Judicial pensions*

#### **83 Period of service to qualify for certain superannuation benefits.**

- (1) In each of the following provisions (which among other things require a minimum number of years service for qualification for superannuation benefits)—
  - (a) section 7(1) of the Judicial Pensions Act 1981 (stipendiary magistrates);
  - (b) section 9(1) of that Act (Judge Advocate General);
  - (c) paragraph 4(1)(b) of Schedule 1 to that Act (Supreme Court officers etc); and
  - (d) section 1(1) of the Sheriffs' Pensions (Scotland) Act 1961,for the words "5 years", or "five years", there shall be substituted, in each case, "2 years" .
- (2) In section 7(3) of the Act of 1981 (rate of pension payable to a stipendiary magistrate) for "(a)" there shall be substituted—
  - (a) if the period of service amounts to less than 5 (but not less than 2) years, 6/80ths of his last annual salary,
  - (aa) .
- (3) In section 9 of the Act of 1981 (rate of pension payable to Judge Advocate General) the following subsection shall be inserted after subsection (3)—

“(3A) The annual rate of pension payable under this section to a person retiring after less than 5 (but not less than 2) years service shall be 6/80ths of his last annual salary.”
- (4) In paragraph 4(4) of Schedule 1 to the Act of 1981 (rate of pension payable to an officer of the Supreme Court etc.) for "(a)" there shall be substituted—

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**Changes to legislation:** *Courts and Legal Services Act 1990, Section 83 is up to date with all changes known to be in force on or before 15 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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“(a) if the period of relevant service amounts to less than 5 (but not less than 2) years, 6/80ths of his last annual salary,

(aa)”.

(5) In subsections (2) and (3) of section 3 of the Sheriffs’ Pensions (Scotland) Act 1961 (rate of pension payable to sheriff and salaried sheriff-substitute) for “(a)” there shall, in each case, be substituted—

“(a) where the period of his relevant service exceeds two years but is less than five years, six eightieths of his last annual salary;

(aa)”.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 58A(2)(fe) inserted by [2021 c. 17 s. 53](#)