



Judicial Pensions and Retirement Act 1993

1993 CHAPTER 8

PART II

MISCELLANEOUS, GENERAL AND SUPPLEMENTARY PROVISIONS

Retirement date for certain judicial officers etc

27 Completion of proceedings after retirement.

- (1) Notwithstanding that a person has vacated or otherwise ceased to hold an office to which this section applies—
- (a) he may act as if he had not ceased to hold the office for the purpose of continuing to deal with, giving judgment in, or dealing with any ancillary matter relating to, any case begun before him before he ceased to hold that office; and
 - (b) for that purpose, and for the purpose of any proceedings arising out of any such case or matter, he shall be treated as being or, as the case may be, as having been a holder of that office;
- but nothing in this subsection shall authorise him to do anything if he ceased to hold the office by virtue of his removal from it.
- (2) Where a person has vacated or otherwise ceased to hold a qualifying judicial office but the office in question is one to which this section applies, then, notwithstanding anything in subsection (1) above, any remuneration that may be paid in respect of service of his in that office by virtue of that subsection shall be remuneration by payment of fees (and not a salary) and accordingly that service shall not be regarded as service in qualifying judicial office.
- (3) The offices to which this section applies are—
- (a) any relevant office, within the meaning of section 26 above;
 - (b) any office falling within any of the paragraphs of subsection (7) of that section;
 - (c) Queen's Coroner and Attorney and Master of the Crown Office and Registrar of Criminal Appeals;

Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions and Retirement Act 1993, Section 27. (See end of Document for details)

- (d) Vice Judge Advocate General;
- (e) Assistant Judge Advocate General;
- ^{F1}(f)
- ^{F2}(ff)
- (g) Chairman of the Criminal Injuries Compensation Board.
- ^{F3}(h) Chief Coroner;
- (i) Deputy Chief Coroner;
- (j) senior coroners, area coroners and assistant coroners;
- (k) traffic commissioners.]

- (4) If and to the extent that any prohibition imposed by subsection (7) of section 26 above would not, apart from this subsection, be regarded as a prohibition on the holding of an office, it shall be treated for the purposes of this section as if it were such a prohibition, and references in this section to office, or to vacating or otherwise ceasing to hold office, shall be construed accordingly.

Textual Amendments

- F1** S. 27(3)(f) repealed (1.10.2001) by 2001 c. 19, ss. 34, 38, Sch. 6 Pt. 2 para. 10, **Sch. 7 Pt. 3**; S.I. 2001/3234, **art. 2** (subject to **art. 3**)
- F2** S. 27(3)(ff) repealed (S.) (30.5.2014) by **The Judicial Pensions and Retirement Act 1993 (Part-time Sheriff, Stipendiary Magistrate and Justice of the Peace) Order 2014 (S.S.I. 2014/155)**, arts. 1(2), **2(2)**
- F3** S. 27(3)(h)-(k) inserted (10.3.2022 for specified purposes, 10.5.2022 in so far as not already in force) by **Public Service Pensions and Judicial Offices Act 2022 (c. 7)**, s. 131(1)(4)(b)(i), **Sch. 1 para. 25(3)** (with Sch. 1 para. 43)

Changes to legislation:

There are currently no known outstanding effects for the Judicial Pensions and Retirement Act 1993, Section 27.