
Changes to legislation: There are currently no known outstanding effects for the Access to Justice Act 1999, Paragraph 36. (See end of Document for details)

SCHEDULES

SCHEDULE 14

TRANSITIONAL PROVISIONS AND SAVINGS

PART V

MAGISTRATES AND MAGISTRATES' COURTS

Pensions of inner London court staff

- 36 (1) The Lord Chancellor may by order made by statutory instrument make provision about the provision of pensions for or in respect of persons who are or have been members of the inner London court staff.
- (2) An order under this paragraph may include provision for, or in connection with—
- (a) enabling persons to participate, or continue to participate, in any pension scheme and requiring their employers to make contributions under that scheme, and
 - (b) the administration or management of pension schemes or pension funds.
- (3) Provision of the kind specified in sub-paragraph (2)(a) may—
- (a) with the consent of the Minister for the Civil Service, include provision for section 1 of the ^{M1}Superannuation Act 1972 (pensions of civil servants etc.) to apply to persons who are or have been members of the inner London court staff, or
 - (b) include provision for persons who have been members of the inner London court staff but who are employees of the Greater London Magistrates' Courts Authority by virtue of a scheme under paragraph 33 to be regarded as continuing to be members of the metropolitan civil staffs for the purposes of section 15 of the ^{M2}Superannuation (Miscellaneous Provisions) Act 1967 (pensions of metropolitan civil staffs).
- (4) An order under this paragraph containing provision of the kind specified in sub-paragraph (3)(a) may also contain provision for such body or person as may be specified in the order to pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of the increase attributable to such provision (so far as referable to that body or person) in the sums payable under the Superannuation Act 1972 out of money provided by Parliament.
- (5) Where an order is made under this paragraph containing provision of the kind specified in sub-paragraph (3)(a), the Minister for the Civil Service may, to such extent and subject to such conditions as he thinks fit—
- (a) delegate to any person the function of administering a scheme made under section 1 of the Superannuation Act 1972, so far as relating to persons who are or have been members of the inner London court staff, or

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- (b) authorise the exercise of that function (so far as so relating) by, or by employees of, any person.
- (6) A person to whom the function of administering a scheme made under section 1 of the Superannuation Act 1972 is delegated under sub-paragraph (5)(a) may, to such extent and subject to such conditions as he may determine, authorise the exercise of that function by, or by employees of, any person.
- (7) Where a person is authorised under sub-paragraph (5)(b) or (6) to exercise the function of administering a scheme made under section 1 of the Superannuation Act 1972, anything done or omitted to be done by or in relation to him (or an employee of his) in, or in connection with, the exercise or purported exercise of the function shall be treated for all purposes as done or omitted to be done by the person who authorised him.
- (8) Sub-paragraph (7) does not apply for the purposes of—
 - (a) any criminal proceedings against the authorised person (or any employee of his), or
 - (b) any contract between him and the person who authorised him, so far as relating to the function.
- (9) An order under this paragraph may provide that any enactment repealed by this Act shall continue to have effect for any purpose specified in the order with such modifications as may be so specified.
- (10) A statutory instrument containing an order under this paragraph shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (11) In this paragraph the “inner London court staff” means—
 - (a) the justices’ chief executive employed by the magistrates’ courts committee for the area consisting of the inner London boroughs,
 - (b) any justices’ clerk for that area, and
 - (c) staff of the magistrates’ courts committee for that area.

Marginal Citations

M1 1972 c.11.

M2 1967 c.28.

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