
Changes to legislation: There are currently no known outstanding effects for the International Criminal Court Act 2001, Paragraph 7. (See end of Document for details)

SCHEDULES

SCHEDULE 1

SUPPLEMENTARY PROVISIONS RELATING TO THE ICC

Pension provision for UK judges of ICC

- 7 (1) The appropriate Minister may by order make provision for securing that a holder of a United Kingdom judicial office who serves as a judge of the ICC is not worse off as regards pension benefits than if he had not been appointed to the ICC.
- (2) The order may—
- (a) entitle an ICC judge who was, immediately before his appointment as an ICC judge, a member of a judicial pension scheme to remain as a member of that scheme, or
 - (b) authorise the making of such other arrangements as appear to the Minister to be appropriate.
- (3) An order making such provision as is mentioned in sub-paragraph (2)(a) may include such provision as the appropriate Minister considers is necessary to secure—
- (a) that the terms on which an ICC judge remains a member of a judicial pension scheme are those which would have been applicable had he not been appointed as an ICC judge, and
 - (b) that entitlement to benefits payable in accordance with the scheme continues to be determined as if, while serving as an ICC judge, his salary was that which would (but for section 68(3)(a) of the Access to Justice Act 1999 (c. 22)) have been payable to him in respect of his continuing service as the holder of his United Kingdom judicial office.
- (4) Any such order may also make provision—
- (a) for any contributions payable by a person who remains a member of a judicial pension scheme as a result of the order, and which would otherwise be payable by deduction from his salary, to be made otherwise than by deduction from his salary as an ICC judge, and
 - (b) for such contributions to be collected in such manner as may be determined by the administrators of the scheme.
- (5) Any such order—
- (a) shall have effect notwithstanding section 68(3)(b) of the Access to Justice Act 1999, and
 - (b) may amend any provision of, or made under, any of the judicial pensions Acts in such manner and to such extent as the appropriate Minister considers necessary or expedient to ensure the proper administration of any scheme to which it relates.

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- (6) Any payments made in pursuance of such arrangements as are mentioned in subparagraph (2)(b) to, or in respect of, a holder of a United Kingdom judicial office shall be charged on, and paid out of, the Consolidated Fund.
- (7) In this paragraph—
- “the appropriate Minister” means—
 - (a) in relation to a judicial office whose jurisdiction is exercisable exclusively in Scotland, the Secretary of State, and
 - (b) otherwise, the Lord Chancellor;
 - “the judicial pensions Acts” means—
 - (a) the County Courts Act (Northern Ireland) 1959 (c. 25) (N.I.),
 - (b) the Sheriffs’ Pensions (Scotland) Act 1961 (c. 42),
 - (c) the Judicial Pensions Act 1981 (c. 20), and
 - (d) the Judicial Pensions and Retirement Act 1993 (c. 8);
 - “judicial pension scheme” means a scheme established by and in accordance with any of those Acts; and
 - “United Kingdom judicial office” means the office of—
 - (a) Lord Justice of Appeal, Justice of the High Court or Circuit judge, in England and Wales,
 - (b) judge of the Court of Session or sheriff, in Scotland, or
 - (c) Lord Justice of Appeal, judge of the High Court or county court judge, in Northern Ireland.
- (8) An order under this paragraph shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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