
STATUTORY INSTRUMENTS

1987 No. 375

**The Judicial Pensions (Widows' and
Children's Benefits) Regulations 1987**

PART II

CONTRIBUTION MADE ENTIRELY OUT OF LUMP SUM

Application of Part II

4.—(1) This Part shall have effect for determining the amount of the contribution (if any) to be made, by way of reduction in his lump sum, in the case of an office-holder who has made no periodical payments.

(2) No contribution by way of reduction in his lump sum shall be made in the case of a man who at no time during his relevant service had a wife.

Relevant service wholly after 17th April 1973

5.—(1) If the whole of the office-holder's relevant service is or, by virtue of an election made under section 10(4)(a) of the Act of 1973, is treated as, service after 17th April 1973, the amount of the contribution shall be three quarters of the lump sum.

(2) If the office-holder last had a wife at a time before the end of his relevant service, the amount of the contribution shall (instead of that in paragraph (1)) be three quarters of the lump sum—

- (a) multiplied by the number of months of his relevant service before the time at which he last had a wife, and
- (b) divided by the total number of months of his relevant service.

Relevant service partly before 18th April 1973

6.—(1) If the office-holder's relevant service is not, or is not treated as, wholly after 17th April 1973, the amount of the contribution shall be determined by applying the formula—

$$C = L \times \frac{2P \text{ plus } 3Q}{4S}$$

where—

C represents the amount of the contribution;

L represents the office-holder's lump sum;

P represents the number of months of relevant service before 18th April 1973;

Q represents the number of months of relevant service after 17th April 1973;

S represents the total number of months of relevant service.

(2) If the office-holder last had a wife at a time before the end of his relevant service, the amount of the contribution shall (instead of that in paragraph (1)) be that arrived at under paragraph (1) multiplied by the following fraction—

$$\frac{\text{A plus one and a half times B}}{\text{P plus one and a half times Q}}$$

where—

“A” is the number of months relevant service before the time he last had a wife and before 18th April 1973;

“B” is the number of months (if any) of relevant service before that time and after 17th April 1973;

“P” and “Q” are the same as in paragraph (1) above.

Supplemental

7.—(1) For the purpose of determining the amount of any contribution payable under this Part, there shall be disregarded any amount by which (in consequence of the operation of section 17(2) of the Act) that sum may exceed twice the annual amount of the personal pension.

(2) If, under paragraph 16(3) of Schedule 2 to the Act (widow’s or children’s pension not wholly attributable to service after 17th April 1973), all or part of an office-holder’s service before 18th April 1973 is to be left out of account, that service, or that part of it, shall also be left out of account for the purposes of this Part.