
STATUTORY INSTRUMENTS

2005 No. 3325

**The Civil Partnership (Judicial Pensions
and Church Pensions, etc.) Order 2005**

PART 6

Amendments of the Judicial Pensions Act 1981

- 54.**—(1) Section 18 (conditions of grant) is amended as follows.
- (2) In subsection (1)—
- (a) for “and” at the end of paragraph (i) substitute—
- “(ia) where he leaves a surviving civil partner, a pension to that surviving civil partner (hereafter in this Part of this Act referred to as a “surviving civil partner’s pension”), and”, and
- (b) for paragraph (ii) substitute—
- “(ii) where he had a wife or a civil partner at any time during his relevant service (whether or not the marriage or civil partnership continued until his death and whether or not a widow’s pension or surviving civil partner’s pension is or can be granted), a pension (hereafter in this Part of this Act referred to as a “children’s pension”) for the benefit of any relevant children.”.
- (3) After that subsection insert—
- “(1A) In subsection (1)(ii) above, “relevant children” means—
- (a) in relation to a marriage, any children of the marriage, and
- (b) in relation to a civil partnership, any children of the family,
- and in paragraph (b) of this subsection “children of the family” is to be construed in accordance with section 105(1) of the Children Act 1989⁽¹⁾ or (in relation to Scotland) section 101(7) of the Civil Partnership Act 2004⁽²⁾.”.
- (4) In subsection (2), after “marriage”, in each place, insert “or civil partnership”.

(1) 1989 c. 41.

(2) 2004 c. 33.