

## SCHEDULE 6

Article 97

Further amendments of subordinate legislation relating to judicial pensions

### **The Judicial Pensions (Requisite Benefits) Order 1988(1)**

1. The Judicial Pensions (Requisite Benefits) Order 1988 is amended as follows.
- 2.—(1) Article 10 (widower’s guaranteed pension) is amended as follows.
  - (2) In the side-note, after “Widower's” insert “or surviving civil partner's”.
  - (3) In paragraph (1)—
    - (i) for “female office-holder” substitute “person who is an office-holder”, and
    - (ii) for “her widower” substitute “their widower or surviving civil partner”.
  - (4) In paragraph (3)(b), after “widower's” insert “or surviving civil partner's”.

### **The Judicial Pensions (Requisite Benefits) Order (Northern Ireland) 1988(2)**

3. The Judicial Pensions (Requisite Benefits) Order (Northern Ireland) 1988 is amended as follows.
  - 4.—(1) Article 10 (widower’s guaranteed pension) is amended as follows.
    - (2) In the side-note, after “Widower's” insert “or surviving civil partner's”.
    - (3) In paragraph (1)—
      - (i) for “female office-holder” substitute “person who is an office-holder”, and
      - (ii) for “her widower” substitute “their widower or surviving civil partner”.
    - (4) In paragraph (3)(b), after “widower's” insert “or surviving civil partner's”.

### **The Judicial Pensions (Preservation of Benefits) Order 1995(3)**

5. The Judicial Pensions (Preservation of Benefits) Order 1995 is amended as follows.
6. In article 7 (inalienability), after “surviving spouse” insert “or surviving civil partner”.

### **The Judicial Pensions (Guaranteed Minimum Pension etc) Order 1995(4)**

7. The Judicial Pensions (Guaranteed Minimum Pension etc) Order 1995 is amended as follows.
  - 8.—(1) Article 5 (surviving spouse’s guaranteed minimum pension) is amended as follows.
    - (2) In the side-note, after “Surviving spouse's” insert “or surviving civil partner's”.
    - (3) In paragraph (1), after “surviving spouse” insert “or surviving civil partner”.
    - (4) In paragraph (2), after “widower” insert “or surviving civil partner”.
    - (5) In paragraph (3), after “surviving spouse's” insert “or surviving civil partner's”.
  - 9.—(1) Article 6 (contribution in the event of marriage during retirement) is amended as follows.
    - (2) In the side-note, after “marriage” insert “or formation of civil partnership”.

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(1) [S.I. 1988/1420](#).

(2) [S.R. \(NI\) 1988/294](#).

(3) [S.I. 1995/634](#) revoked in relation to Northern Ireland by [1995/2647](#).

(4) [S.I. 1995/2647](#), amended by [1997/2667](#).

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(3) For paragraph (1) substitute—

“(1) Where an office-holder is neither married nor a civil partner on the date that he ceases to hold office, he may be required to undertake that, in return for payment of a lump sum to him under the scheme, he will, on his first marriage or the formation of his first civil partnership afterwards, pay a contribution in respect of the benefits that may become payable to his surviving spouse or surviving civil partner by virtue of article 5.”.

(4) In paragraph (2)(a)(ii)—

(i) after “married” insert “or a civil partner”, and

(ii) after “marriage of his contracted” insert “or civil partnership of his formed”.

#### **The Judicial Pensions (Preservation of Benefits) Order (Northern Ireland) 1995(5)**

10. The Judicial Pensions (Preservation of Benefits) Order (Northern Ireland) 1995 is amended as follows.

11. In article 7 (inalienability), after “surviving spouse” insert “or surviving civil partner”.

#### **The Judicial Pensions (Guaranteed Minimum Pension) Order (Northern Ireland) 1995(6)**

12. The Judicial Pensions (Guaranteed Minimum Pension) Order (Northern Ireland) 1995 is amended as follows.

13.—(1) Article 5 (surviving spouse’s guaranteed minimum pension) is amended as follows.

(2) In the side-note, after “Surviving spouse's” insert “or surviving civil partner's”.

(3) In paragraph (1), after “surviving spouse” insert “or surviving civil partner”.

(4) In paragraph (2), after “widower” insert “or surviving civil partner”.

(5) In paragraph (3), after “surviving spouse's” insert “or surviving civil partner's”.

14.—(1) Article 6 (contribution in the event of marriage during retirement) is amended as follows.

(2) In the side-note, after “marriage” insert “or formation of civil partnership”.

(3) For paragraph (1) substitute—

“(1) Where an office-holder is neither married nor a civil partner on the date that he ceases to hold office, he may be required to undertake that, in return for payment of a lump sum to him under the scheme, he will, on his first marriage or the formation of his first civil partnership afterwards, pay a contribution in respect of the benefits that may become payable to his surviving spouse or surviving civil partner by virtue of article 5.”.

(4) In paragraph (2)(a)(ii)—

(i) after “married” insert “or a civil partner”, and

(ii) after “marriage of his contracted” insert “or civil partnership of his formed”.

#### **The Judicial Pensions (Requisite Surviving Spouses' Benefits etc) Order 1997(7)**

15. The Judicial Pensions (Requisite Surviving Spouses' Benefits etc) Order 1997 is amended as follows.

16.—(1) Article 3 (entitlement of surviving spouse to a pension) is amended as follows.

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(5) [S.R \(NI\)1995/388](#).

(6) [S.R. \(NI\) 1995/389](#).

(7) [S.I. 1997/2667](#).

- (2) In the side-note, after “surviving spouse” insert “or surviving civil partner”.
- (3) After “surviving spouse”, in each place, insert “or surviving civil partner”.
- (4) In paragraph (b), after “the marriage took place” insert “or the civil partnership was formed”.

17. In article 4 (which describes when article 3 does not apply), in paragraph (1) after “surviving spouse's” insert “or surviving civil partner's”.

18.—(1) Article 5 (annual rate of surviving spouse’s pension) is amended as follows.

- (2) In the side-note, after “surviving spouse's” insert “or surviving civil partner's”.
- (3) After “surviving spouse's” insert “or surviving civil partner's”.

19. In article 6 (relationship to other benefits), after “surviving spouse”, in each place, insert “or surviving civil partner”.

20. In article 7 (entitlement to have effect notwithstanding other enactments), after “surviving spouse's” insert “or surviving civil partner's”.

#### **The Judicial Pensions (Requisite Surviving Spouses' Benefits etc) Order (Northern Ireland) 1997(8)**

21. The Judicial Pensions (Requisite Surviving Spouses' Benefits etc) Order (Northern Ireland) 1997 is amended as follows.

22.—(1) Article 3 (entitlement of surviving spouse to a pension) is amended as follows.

- (2) In the side-note, after “surviving spouse” insert “or surviving civil partner”.
- (3) After “surviving spouse”, in each place, insert “or surviving civil partner”.
- (4) In paragraph (b), after “the marriage took place” insert “or the civil partnership was formed”.

23. In article 4 (which describes when article 3 does not apply), in paragraph (1) after “surviving spouse's” insert “or surviving civil partner's”.

24.—(1) Article 5 (annual rate of surviving spouse’s pension) is amended as follows.

- (2) In the side-note, after “surviving spouse's” insert “or surviving civil partner's”.
- (3) After “surviving spouse's” insert “or surviving civil partner's”.

25. In article 6 (relationship to other benefits), after “surviving spouse”, in each place, insert “or surviving civil partner”.

26. In article 7 (entitlement to have effect notwithstanding other enactments), after “surviving spouse's” insert “or surviving civil partner's”.