

**2008 No. 3139**

**PENSIONS**

**The Judicial Pensions and Retirement Act 1993 (Addition of  
Qualifying Judicial Offices) (No. 3) Order 2008**

<i>Made</i>	- - - -	<i>8th December 2008</i>
<i>Laid before Parliament</i>		<i>9th December 2008</i>
<i>Coming into force</i>	- -	<i>2nd January 2009</i>

The Lord Chancellor, in exercise of the powers conferred by sections 1(8), 26(9)(a) and 30(1) of the Judicial Pensions and Retirement Act 1993(a), makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Judicial Pensions and Retirement Act 1993 (Addition of Qualifying Judicial Offices) (No. 3) Order 2008 and comes into force on 2nd January 2009.

**Amendment of Schedules 1 and 5 to the Judicial Pensions and Retirement Act 1993**

2. In Part 2 of Schedule 1 to the Judicial Pensions and Retirement Act 1993(b) (the offices which may be qualifying judicial offices), at the end of the list headed “Other offices” insert—

“Persons authorised by the Adjudicator to Her Majesty’s Land Registry in accordance with paragraph 4 of Schedule 9 to the Land Registration Act 2002(c) to carry out functions which are not of an administrative character.”.

3. In Schedule 5 to the Judicial Pensions and Retirement Act 1993(d) (retirement provisions: the relevant offices), after “Adjudicator to Her Majesty’s Land Registry” insert—

“Persons authorised by the Adjudicator to Her Majesty’s Land Registry in accordance with paragraph 4 of Schedule 9 to the Land Registration Act 2002 to carry out functions which are not of an administrative character.”.

8th December 2008

*Jack Straw*  
Lord Chancellor

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(a) 1993 c.8.  
(b) Schedule 1, Part 2 has been amended; the only relevant amending instrument is SI 2003/1311.  
(c) 2002 c.9; Schedule 9 has been amended; the only relevant amending legislation is the Tribunals, Courts and Enforcement Act 2007 (c.15), section 50 and Schedule 10, paragraph 35(3).  
(d) Schedule 5 has been amended; the only relevant amending legislation is the Land Registration Act 2002, Schedule 11, paragraph 28.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Judicial Pensions and Retirement Act 1993 (the 1993 Act) by adding to the list of qualifying judicial offices in Schedule 1, and also to the list of relevant offices in Schedule 5, to that Act.

This Order adds to those lists persons who are authorised by the Adjudicator to Her Majesty's Land Registry to carry out non-administrative functions (ie. judicial functions). Those persons are usually referred to as 'Deputy Adjudicators'. Before persons may be appointed as Deputy Adjudicators, they must satisfy the judicial-appointment eligibility condition on a 7-year basis, in other words they must hold a relevant legal qualification, and have gained legal experience for at least 7 years while holding that qualification.

Holders of qualifying judicial offices are entitled to a judicial pension under the 1993 Act if they hold their office on a salaried basis. Persons holding offices listed in Schedule 5 to the 1993 Act are subject to the retirement provisions in section 26 of that Act.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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