



County Courts Act (Northern Ireland) 1959

1959 CHAPTER 25

PART XIII

SUPERANNUATION

[^{F1}WIDOWS', SURVIVING CIVIL PARTNERS' AND CHILDRENS' PENSIONS]

122 [^{F1}Power to grant widows', surviving civil partners' and children's pensions].

[^{F1}(1)] Subject to the provisions of sections one hundred and twenty-one to one hundred and thirty-three, on the death after the commencement of this Part of a person (in this Part referred to as “the deceased”) who—

- (a) had become eligible for a pension for service; or
- (b) was serving at the time of his death and would, if he had then retired on the ground of permanent infirmity, have become eligible for a pension for such service;

there may be granted in respect of his service—

(i) where he leaves a widow, a pension to that widow (in this Part referred to as a “widow's pension”);

[^{F1}(ia) where he leaves a surviving civil partner, a pension to that surviving civil partner (in this Part referred to as a “surviving civil partner's pension”); and]

[^{F1}(ii) where he had a wife or a civil partner at any time during his 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 for the benefit of any relevant children (in this Part referred to as a “children's pension”)]

[^{F1}(2) In subsection (1)(ii), “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,

Changes to legislation: There are currently no known outstanding effects for the County Courts Act (Northern Ireland) 1959, Section 122. (See end of Document for details)

and in paragraph (b) “children of the family” is to be construed in accordance with Article 2(2) of the Children (Northern Ireland) Order 1995[9].]

F1 SI 2005/3325

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