



# Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1969

## 1969 CHAPTER 7

### **1 <sup>F1</sup>Effect of pension in respect of public office on remuneration in judicial or related office.**

- (1) Where, in the case of any person who after the passing of this Act becomes the holder of an office to which this section applies, there is payable to that person any pension in respect of any other public office in the United Kingdom to which he had previously been appointed or elected, then, subject to subsection (2), the remuneration which would apart from this section be payable to that person as holder of the first-mentioned office shall be abated by the amount of that pension.
- (2) Where the Ministry of Finance (in this Act referred to as “the Ministry” ) is satisfied that the office to which this section applies held by any such person is held on a part-time basis only, the reference in subsection (1) to the amount of the pension there referred to shall be construed as a reference to such amount as appears to the Ministry to bear to the full amount of that pension the same proportion as the remuneration payable to that person as the holder of that office bears to what that remuneration would have been if the office had been held on a full-time basis.
- (3) For the purpose of computing the pension payable to any such person in respect of the office to which this section applies held by him and any derivative benefit which depends upon his eligibility for such a pension, the amount of that person's annual remuneration as the holder of that office shall, notwithstanding that the remuneration is abated by reason of this section, be treated as the amount which would be payable apart from this section and not the amount as so abated.
- (4) This section applies to any judicial or related office to which there is applicable for the time being, whether with or without modifications, any of the following enactments relating to pensions or retiring age, namely—
  - (a) section 116...<sup>F2</sup> of the County Courts Act (Northern Ireland) 1959 ;
  - (b) section 2 of the Resident Magistrates' Pensions Act (Northern Ireland) 1960 ;
  - (c) section 2 of the Lands Tribunal and Compensation Act (Northern Ireland) 1964 ;

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**Changes to legislation:** There are currently no known outstanding effects for the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1969, Section 1. (See end of Document for details)

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<sup>F3</sup>(d) paragraphs 5 to 7 of Schedule 10 to the Social Security (Northern Ireland) Act 1975 ;]

(e) section 2 of this Act.

(5) In subsection (3), “derivative benefit” means any lump sum or widow's [<sup>F4</sup>, widower's, surviving civil partner's] or children's pension payable under the Judicial Pensions Act (Northern Ireland 1951 , or under any of the enactments mentioned in subsection (4).

**F1** [1990 c. 41](#)

**F2** [SR 1979/103](#)

**F3** [1975 c.18](#)

**F4** Words in s. 1(5) inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **59(2)** (with regs. 6-9)

**Changes to legislation:**

There are currently no known outstanding effects for the Superannuation (Miscellaneous Provisions) Act (Northern Ireland) 1969, Section 1.