



# Judicial Pensions Act 1981

## 1981 CHAPTER 20

### PART I

#### RATE OF PENSION

### CHAPTER II

#### OTHER JUDICIAL OFFICES

#### **5 Circuit judge in England or Wales.**

- (1) A Circuit judge may on the recommendation of the Lord Chancellor be granted a pension—
  - (a) if he retires after 15 years service and at the time of his retirement he has attained the age of 65 years, or
  - (b) if he vacates his office in accordance with section 17 of the <sup>M1</sup>Courts Act 1971 (age limit and removal on ground of incapacity or misbehaviour), or
  - (c) if the Lord Chancellor is satisfied by means of a medical certificate that, by reason of infirmity of mind or body, he is incapable of discharging the duties of his office, and that the incapacity is likely to be permanent.
- (2) The annual rate of a pension payable under this section to a person retiring after not less than 15 years service shall be one half of his last annual salary.
- (3) The annual rate of a pension payable under this section to a person retiring after less than 15 years service shall be—
  - (a) if the period of service does not amount to 5 years, 6/40ths of his last annual salary,
  - (b) if the period of service amounts to 5 years or more, one quarter of that salary plus 1/40th for each completed year of service exceeding 5.
- (4) If a person to whom a pension has been granted under this section (before he has attained the age of 72) in consequence of any such incapacity as is referred to in

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*Status: Point in time view as at 01/01/1992. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 5. (See end of Document for details)*

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subsection (1)(c) above resumes the duty of a Circuit judge, the payment of the pension shall be suspended during the period of his resumed service, but at the end of that period the pension shall again be payable and be recalculated in accordance with subsections (2) and (3) above, and for that purpose the period of his resumed service shall be added to the period of his former service.

- (5) In this section “service” means service as a Circuit judge.
- (6) A pension under this section shall be payable at such intervals, not exceeding three months, as [<sup>F1</sup>the Treasury] may determine.

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**Textual Amendments**

**F1** Words substituted by [Courts and Legal Services Act 1990 \(c. 41, SIF 76:1\)](#), **s. 118(4)(a)**

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**Marginal Citations**

**M1** [1971 c. 23](#).

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There are currently no known outstanding effects for the Judicial Pensions Act 1981, Section 5.