



# Courts and Legal Services Act 1990

## 1990 CHAPTER 41

### PART VI

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Miscellaneous*

#### **118 Functions of Treasury**

- (1) The Judicial Pensions Act 1981 shall have effect subject to the following amendments (which reflect the transfer of functions from the Ministers of the Civil Service to the Treasury effected by the Transfer of Functions (Minister for the Civil Service and Treasury) Order 1981).
- (2) In section 10(1), and paragraph 23(2) of Schedule 1, for the words “the Minister for the Civil Service” there shall be substituted “the Treasury”.
- (3) In section 29, for the words “the Minister for the Civil Service or any other Minister” there shall be substituted “the Treasury or any Minister of the Crown”.
- (4) In the following provisions—
  - (a) sections 3(4), 5(6), 7(5), 8(1), 11(a) and (b), 12(5), 13(4)(b), 15, 18(2), 20(4), 21(5), 22(1), 23(4), 25(1)(a) and 32(2);
  - (b) paragraphs 4(1)(b)(ii), 8, 10(2), 14(2), 15(2),(5) and (7), 17, 20(1) and (2) and 22 of Schedule 1; and
  - (c) paragraph 2(2) of Schedule 2,for the words “the Minister”, wherever they occur, there shall be substituted “the Treasury”.
- (5) In section 2 1(4), for the words “the Minister may, if he” there shall be substituted “the Treasury may, if it”.
- (6) In section 22(4)—

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*Status: This is the original version (as it was originally enacted).*

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- (a) for the word “Minister”, where it first occurs, there shall be substituted “Treasury”; and
  - (b) for the words from “if the Minister” to “he thinks fit” there shall be substituted “if the Treasury does specially so direct, it may, if it thinks fit”.
- (7) In Schedule 1—
- (a) in paragraph 8(2), for the words “to him” there shall be substituted “to it”;
  - (b) in paragraph 15(7), for the words “he is satisfied” there shall be substituted “it is satisfied”;
  - (c) in paragraph 17(1), for the words “he shall” there shall be substituted “it shall”;  
and
  - (d) in paragraph 21, for the word “Minister”, where it first occurs, there shall be substituted “Treasury” and for the words “he thinks” there shall be substituted “it thinks”.
- (8) In section 33, the definition of “the Minister” shall be omitted.