
STATUTORY INSTRUMENTS

2005 No. 3325

**The Civil Partnership (Judicial Pensions
and Church Pensions, etc.) Order 2005**

PART 7

Amendments of the Judicial Pensions and Retirement Act 1993

- 70.**—(1) Section 5 (surviving spouse’s pension) is amended as follows.
- (2) In the side-note, after “Surviving spouse's” insert “and surviving civil partner's”.
- (3) In subsection (1)—
- (a) after “surviving spouse”, in both places, insert “or surviving civil partner”,
 - (b) in paragraph (b), after “marriage took place” insert “or their civil partnership was formed”,
and
 - (c) omit “(a “surviving spouse’s pension”)”.
- (4) After that subsection insert—
- “(1A) For the purposes of this Act—
 - (a) a pension under this section which is payable to a surviving spouse is a “surviving spouse’s pension”, and
 - (b) a pension under this section which is payable to a surviving civil partner is a “surviving civil partner’s pension”.”.
- (5) For subsection (3) substitute—
- “(3) If—
 - (a) the surviving spouse re-marries or forms a civil partnership, or
 - (b) the surviving civil partner marries or forms a subsequent civil partnership,the Treasury may, on or at any time after the marriage or the formation of the civil partnership, direct that the pension shall cease to be payable.”.
- (6) After subsection (5) insert—
- “(5A) Schedule 1A to this Act (which makes transitional provision in relation to surviving civil partners' pensions) shall have effect.”.