1979 No. 67

PENSIONS

The Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) (Amendment) Regulations 1979

Made . . . . . *6th March* 1979
Coming into operation . . . . *21st April* 1979
To be laid before Parliament

Regulations dated 6th March 1979 made by the Lord Chancellor under the Administration of Justice Act 1973.

The Lord Chancellor, in exercise of the powers conferred by Schedule 3 to the Administration of Justice Act 1973(**a**) and now vested in him by Article 3(1) of and Schedule 2 to the Northern Ireland (Modification of Enactments—No. 1) Order 1973(**b**) and with the concurrence of the Minister for the Civil Service, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) (Amendment) Regulations 1979 and shall come into operation on 21st April 1979.

Interpretation

2. In these Regulations, "the Schedule" means the Schedule to the Judicial Pensions (Northern Ireland) (Widows' and Children's Benefits) Regulations 1974(**c**).

Election to make periodical payments

3.—(1) For paragraph 2(6) of the Schedule there shall be substituted the following paragraphs:—

"(6) Deductions made in pursuance of an election under this paragraph—

(*a*) shall be made from each instalment of the office-holder's salary as it becomes due, and

(*b*) may, if the office-holder so requests, also be made at the appropriate rate in respect of the office-holder's earlier salary specified in sub-paragraph (6A) below, and for this purpose the responsible authority may require the office-holder to repay such sum, if any, as may be necessary to make up the total deduction.

(6A) The earlier salary specified for the purpose of sub-paragraph (6) above is the salary paid to the office-holder before the date of the relevant election—

(*a*) during the income tax year of assessment in which the relevant election was made, or

(*b*) during that year and during so much of the preceding year of assessment as elapsed after the relevant appointment, marriage or re-marriage."

(**a**) 1973 c. 15
(**b**) S.I. 1973/2163 (1973 III, p. 7541)
(**c**) S.R. 1974/178 (1974 I, p. 764)