STATUTORY INSTRUMENTS

2014 No. 288

PENSIONS

The Judicial Pensions (Widows', Widowers' and Children's Benefits) (Amendment) Regulations 2014

Made - - - -	*11th February 2014*
Laid before Parliament	*13th February 2014*
Coming into force - -	*13th March 2014*

The Lord Chancellor and the Secretary of State for Scotland, with the concurrence of the Treasury, make these Regulations in exercise of the power conferred by section 23 of the Judicial Pensions Act 1981(**a**).

Citation and Commencement

1. These Regulations may be cited as the Judicial Pensions (Widows', Widowers' and Children's Benefits) (Amendment) Regulations 2014 and shall come into force on 13th March 2014.

Amendments to the Judicial Pensions (Widows' and Children's Benefits) Regulations 1987

2.—(1) The Judicial Pensions (Widows' and Children's Benefits) Regulations 1987(**b**) are amended as follows.

(2) In paragraph 2(1)—

(a) before the definition of "standard rate" insert—

""spouse" includes a person who is married to a person of the same sex;";

(b) at the end of the paragraph insert—

""widow" includes a man who was married to a male office-holder.".

(3) For "wife" wherever it occurs in paragraphs 4(2), 5(2) and 6(2), substitute "spouse".

Amendments to the Judicial Pensions (Widowers' and Children's Benefits) Regulations 1991

3.—(1) The Judicial Pensions (Widowers' and Children's Benefits) Regulations 1991(**c**) are amended as follows.

(2) In paragraph 2(1)—

(a) before the definition of "standard rate" insert—

""spouse" includes a person who is married to a person of the same sex;";

(**a**) 1981 c. 20; section 23 was amended by S.I. 1988/1417 and by sections 118(4) and 125(3) the Courts and Legal Services Act 1990 (c.41) and by paragraph 28 of Schedule 18 of that Act.
(**b**) S.I. 1987/375, amended by S.I. 1991/2731 and 2006/749.
(**c**) S.I. 1991/2731, amended by S.I. 2005/3325 and 2006/749.

(b) at the end of the paragraph insert—

""widower" includes a woman who was married to a female office-holder.".

(3) For "husband" wherever it occurs in paragraphs 2(5)(b), 4(2), 5(2), 6(2) and 6(3), substitute "spouse".

Chris Grayling
Lord Chancellor

10th February 2014

Alistair Carmichael
One of Her Majesty's Principal Secretaries of State

11th February 2014

We concur

Mark Lancaster
Anne Milton
Two of the Lords Commissioners of Her Majesty's Treasury

10th February 2014

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Judicial Pensions (Widows' and Children's Benefits) Regulations 1987 and the Judicial Pensions (Widowers' and Children's Benefits) Regulations 1991 currently enable contributions covering the cost of survivor benefits to be taken from members of the Judicial Pensions Act 1981 (c. 20) pension schemes. This instrument amends the 1987 and 1991 Regulations so that they also apply to members who marry a person of the same sex.

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