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*Number 25 of 1999*

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**COURTS (SUPPLEMENTAL PROVISIONS) (AMENDMENT)  
ACT, 1999**

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ARRANGEMENT OF SECTIONS

Section

1. Provisions relating to pensions in specified cases.
  2. Application of provisions relating to abatement of pensions.
  3. Charge of certain payments on Central Fund and payments and expenses generally.
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[No. 25.] *Courts (Supplemental Provisions)* [1999.]  
*(Amendment) Act, 1999.*

Acts Referred to

Court Officers Acts, 1926 to 1998

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*Number 25 of 1999*  
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**COURTS (SUPPLEMENTAL PROVISIONS) (AMENDMENT)  
ACT, 1999**  
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AN ACT TO PROVIDE PENSIONS FOR PERSONS WHO VACATED OFFICE, EACH IN A SPECIFIED CASE, AS AN ORDINARY JUDGE OF THE SUPREME COURT, AS AN ORDINARY JUDGE OF THE HIGH COURT AND AS A COUNTY REGISTRAR AND TO PROVIDE FOR ARRANGEMENTS CONCERNING SPOUSE'S AND CHILDREN'S PENSIONS IN RESPECT OF EACH SUCH PERSON UPON HIS DEATH. [13th July, 1999]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) Notwithstanding any provision contained in—

Provisions relating to pensions in specified cases.

(a) the Courts (Supplemental Provisions) Acts, 1961 to 1997, or, in so far as it amends or extends those Acts, the Oireachtas (Allowances to Members) and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act, 1998, or

(b) the Court Officers Acts, 1926 to 1998,

but subject to the provisions referred to in *section 2* of this Act, the payment of pensions in respect of each of the persons specified in *paragraphs (a) to (c) of subsection (2)* of this section (in this section referred to as “the specified persons”) shall be governed solely by the provisions in this section.

(2) (a) Commencing on the 18th day of April, 1999, a person who was appointed as an ordinary judge of the Supreme Court on the 26th day of March, 1990, and who vacated his office on the 17th day of April, 1999, shall be entitled, for the duration of his life, to a pension which, when duly paid over a full year and before lawful deductions are made, would equate to £40,000.

(b) Commencing on the 21st day of April, 1999, a person who was appointed as an ordinary judge of the High Court on the 30th day of November, 1998, and who vacated his office on the 20th day of April, 1999, shall be entitled, for the duration of his life, to a pension which, when duly paid over a full year and before lawful deductions are made, would equate to £30,000.

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(c) Commencing on the 21st day of April, 1999, a person who was appointed as a county registrar on the 24th day of June, 1991, and who vacated his office on the 20th day of April, 1999, shall be entitled, for the duration of his life, to a pension which, when duly paid over a full year and before lawful deductions are made, would equate to £15,000.

(3) Where the salary of an ordinary judge of the Supreme Court, an ordinary judge of the High Court or an equivalent county registrar is increased, the pensions specified in *subsection (2)* of this section or as last adjusted by virtue of this subsection shall fall to be adjusted, with effect from the same date, by a percentage equal to the percentage increase in salary granted.

(4) Without prejudice to the generality of *subsection (1)* of this section, sections 2(2) and 4(2) (as amended by the Oireachtas (Allowances to Members) and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act, 1998) of the Courts of Justice and Court Officers (Superannuation) Act, 1961, shall not apply to the specified persons, as appropriate.

(5) The regulations to be made under section 4 of the Courts (Supplemental Provisions) (Amendment) Act, 1991 (which relates to the provision of spouses' and children's pensions), shall apply to the spouses and children of the specified persons as they shall apply to the spouses and children of an ordinary judge of the Supreme Court, an ordinary judge of the High Court or an equivalent county registrar, as the case may be, except that the pensions specified in *subsection (2)* of this section (as may from time to time be adjusted by virtue of *subsection (3)* of this section) shall provide the basis for calculating the pension that is to be paid to the spouses or children of the specified persons.

(6) Pending the making of the regulations referred to in *subsection (5)* of this section, any administrative arrangement for the payment of pensions to spouses and children of the judiciary or court officers to which the specified persons are party shall continue to have effect, subject to the qualification set out in that subsection.

(7) In this section "equivalent county registrar" means the office of county registrar which is equivalent to the office vacated under *subsection (2)(c)* of this section.

Application of provisions relating to abatement of pensions.

**2.**—Sections 46(6) and 57(2) of the Courts (Supplemental Provisions) Act, 1961, shall apply to the specified persons, as appropriate, with any necessary modifications.

Charge of certain payments on Central Fund and payments and expenses generally.

**3.**—(1) There shall be charged on and payable out of the Central Fund or the growing produce thereof the pension payable under this Act to a former ordinary judge of the Supreme Court or a former ordinary judge of the High Court and any pension granted to the spouse or any child of such a former judge.

(2) Any payments (other than payments to which *subsection (1)* of this section applies) made and expenses incurred in giving effect to this Act and in the administration thereof shall, to such extent as

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may be sanctioned by the Minister for Finance, be paid out of S.3 moneys provided by the Oireachtas.

4.—(1) This Act may be cited as the Courts (Supplemental Provisions) (Amendment) Act, 1999.

Short title, construction and collective citation.

(2) The Courts (Supplemental Provisions) Acts, 1961 to 1997, and, in so far as they amend or extend those Acts, this Act and the Oireachtas (Allowances to Members) and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act, 1998, and sections 7 to 10, 13, 14 and 16 of the Jurisdiction of Courts and Enforcement of Judgments Act, 1998, shall be construed together as one and may be cited together as the Courts (Supplemental Provisions) Acts, 1961 to 1999.

(3) The Court Officers Acts, 1926 to 1998, and, in so far as it amends or extends those Acts, this Act, shall be construed together as one and may be cited together as the Court Officers Acts, 1926 to 1999.