



# County Courts Act (Northern Ireland) 1959

## 1959 CHAPTER 25

### PART XIII

#### SUPERANNUATION

[<sup>F1</sup>WIDOWS', SURVIVING CIVIL PARTNERS' AND CHILDRENS' PENSIONS]

#### 126 <sup>F1</sup> Children's pension: rate and mode of payment.

- (1) Only one children's pension shall be granted in respect of the service of any one person, but—
  - (a) the rate thereof may vary according to the number of persons for whose benefit it can for the time being enure; and
  - (b) it shall be paid to such person or persons as [<sup>F2</sup> the Treasury] may from time to time direct, and different parts thereof may be directed to be paid to different persons; and
  - (c) the person to whom all or any part thereof is paid shall apply the sum paid to him, without distinction, for the benefit of all the persons for whose benefit the pension can for the time being enure or for the benefit of such of them as [<sup>F2</sup> the Treasury] from time to time directs.
- (2) Where the deceased [<sup>F2</sup> leaves no widow [<sup>F3</sup>, widower or surviving civil partner] and, if he or she leaves a widow [<sup>F3</sup>, widower or surviving civil partner], after his or her death], the annual amount of a children's pension—
  - (a) while the persons for whose benefit it can enure are three or more in number, may amount to one-third of the annual amount of the personal pension;
  - (b) while the said persons are two in number, may amount to one-quarter of the annual amount of the personal pension;
  - (c) while there is only one such person, may amount to one-sixth of the annual amount of the personal pension.

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*Changes to legislation: There are currently no known outstanding effects for the County Courts Act (Northern Ireland) 1959, Section 126. (See end of Document for details)*

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- (3) Subject to the provisions of sub-section (4), where the deceased leaves a widow<sup>F3</sup>, widower or surviving civil partner], the annual amount of a children's pension during her<sup>F2</sup> or his] life—
- (a) while the persons for whose benefit it can enure are four or more in number, may amount to one-third of the annual amount of the personal pension;
  - (b) while the said persons are three in number, may amount to one-quarter of the annual amount of the personal pension;
  - (c) while the said persons are two in number, may amount to one-sixth of the annual amount of the personal pension;
  - (d) while there is only one such person, may amount to one-twelfth of the annual amount of the personal pension.
- (4) Notwithstanding anything in the foregoing provisions of this section, where the deceased
- <sup>F3</sup>(a) leaves a widow or widower who remarries or forms a civil partnership, or
  - (b) leaves a surviving civil partner who forms a subsequent civil partnership or marries,]

no children's pension shall be payable as respects any period when she has a husband<sup>F3</sup> or civil partner][<sup>F2</sup> or he has a wife][<sup>F3</sup> or civil partner] unless<sup>F2</sup> the Treasury] specially directs that such a pension shall be so payable, but, if<sup>F2</sup> the Treasury] does specially so direct, it may, if it thinks fit, further direct that sub-section (2) shall apply as respects any such period notwithstanding that the<sup>F3</sup> widow, widower or surviving civil partner is] alive.

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| <p><b>F1</b> Children's pensions increased, <a href="#">1973 c. 15</a></p> <p><b>F2</b> <a href="#">1991 NI 24</a></p> <p><b>F3</b> <a href="#">SI 2005/3325</a></p> |
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**Changes to legislation:**

There are currently no known outstanding effects for the County Courts Act (Northern Ireland) 1959, Section 126 .