



Pension Schemes Act 2015

2015 CHAPTER 8

PART 5

MISCELLANEOUS

Judicial and public service pensions

78 Pension scheme for fee-paid judges

- (1) In the Judicial Pensions and Retirement Act 1993, after Part 1 insert—

“PART 1A

FEE-PAID JUDGES

18A Pension scheme for fee-paid judges

- (1) The appropriate Minister may by regulations establish a scheme for the payment of pensions and other benefits to or in respect of fee-paid judges.
- (2) The scheme may make provision for payments to or in respect of a person in relation to the person's service before the scheme is established.
- (3) No benefits are to be provided under a new public service pension scheme in relation to service in relation to which benefits are to be provided under a scheme under this section.

“New public service pension scheme” means a scheme under—

- (a) section 1 of the Public Service Pensions Act 2013, or
- (b) section 1 of the Public Service Pensions Act (Northern Ireland) 2014 (c. 2).

Changes to legislation: There are currently no known outstanding effects for the Pension Schemes Act 2015, Cross Heading: Judicial and public service pensions. (See end of Document for details)

- (4) The power under section 18(5) of the Public Service Pensions Act 2013 is to include power to provide for exceptions in the case of a person who—
 - (a) served as a fee-paid judge before 1 April 2012, and
 - (b) has been notified by the appropriate Minister that he or she will potentially be eligible for benefits under a scheme under this section in relation to that service,
 (and section 18(6) to (8) of the 2013 Act apply accordingly).
- (5) The power under section 18(5) of the Public Service Pensions Act (Northern Ireland) 2014 is to include power to provide for exceptions in the case of a person who—
 - (a) served as a fee-paid judge before 1 April 2012, and
 - (b) has been notified by the appropriate Minister that he or she will potentially be eligible for benefits under a scheme under this section in relation to that service,
 (and section 18(7) to (9) of the 2014 Act apply accordingly).
- (6) Regulations under this section may, in particular, include provision corresponding or similar to—
 - (a) any provision made by Part 1, section 20 or Schedule 2 or 2A;
 - (b) any provision that may be made by regulations under Part 1, section 20 or Schedule 2 or 2A.
- (7) In this section—
 - “judge” means a person who holds an office specified in the regulations;
 - “fee-paid judge” means a judge whose service is remunerated by the payment of fees (as opposed to the payment of a salary).”

(2) Schedule 5 contains related amendments.

79 Judicial pensions: pension sharing on divorce etc

In paragraph 1(5) of Schedule 2A to the Judicial Pensions and Retirement Act 1993 (pension credits), for the words from “in respect of the office” to the end substitute “in respect of the rights from which the pension credit is derived”.

F1 80 Public service pension schemes

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Textual Amendments

F1 S. 80 omitted (10.3.2022 for specified purposes, 1.4.2022 in so far as not already in force) by virtue of [Public Service Pensions and Judicial Offices Act 2022 \(c. 7\), ss. 96\(5\), 131\(1\)\(2\)\(f\)](#)

Changes to legislation:

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