

SCHEDULE 5

Article 96

Amendments of subordinate legislation made pursuant to the Judicial Pensions Act 1981 and the Judicial Pensions and Retirement Act 1993

**The Judicial Pensions (Additional Voluntary Contributions) Regulations 1995(1)**

1. The Judicial Pensions (Additional Voluntary Contributions) Regulations 1995 are amended as follows.

2. In regulation 1.2 (interpretation), in the definition of “additional voluntary contributions” after “surviving spouse's” insert “or surviving civil partner's”.

3. In regulation 2.8 (aggregated retirement benefit), in paragraph (2), after “surviving spouse” insert “or surviving civil partner”.

4.—(1) Regulation 2.10 (rate of surviving spouse’s or children’s pension) is amended as follows.

(2) In paragraph (1)—

(a) after “surviving spouse's” insert “or surviving civil partner's”, and

(b) after “surviving spouse” insert “or surviving civil partner”.

5. In regulation 2.24 (benefits which may be provided), in paragraph (2)(d)(i), after “spouse” insert “or civil partner”.

6. In regulation 2.25 (payment of benefits), in paragraph (b), after “surviving spouse's” insert “or surviving civil partner's”.

7. In regulation 4.1 (interpretation: JASSPS), in paragraph (2), after “surviving spouse's”, in each place, insert “or surviving civil partner's”.

8.—(1) Regulation 4.2 (membership: JASSPS) is amended as follows.

(2) In paragraph (3)—

(a) after “surviving spouse's” insert “or surviving civil partner's”, and

(b) after “spouse” insert “or civil partner”.

9. In regulation 4.4 (limits on the added benefits that may be purchased under JASSPS), after “surviving spouse's” insert “or surviving civil partner's”.

10. In regulation 4.7 (manner of making contributions into the JASSPS), after “surviving spouse's”, in each place, insert “or surviving civil partner's”.

11.—(1) Regulation 4.11 (valuation of benefits under the JASSPS) is amended as follows.

(2) After “surviving spouse's”, in each place, insert “or surviving civil partner's”.

(3) In paragraph (1), after “surviving spouse” insert “or surviving civil partner”.

12.—(1) Regulation 4.12 (valuation of benefits under the JABS) is amended as follows.

(2) After “surviving spouse” insert “or surviving civil partner”.

(3) After “surviving spouse's” insert “or surviving civil partner's”.

13.—(1) Regulation 4.13 (refund of contributions) is amended as follows.

(2) After “spouse”, in each place, insert “or a civil partner”.

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(1) **S.I. 1995/639**, amended by **S.I. 1996/52**; the other amending instrument is not relevant.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) In paragraph (1), for “is both unmarried and has no eligible children” substitute “is neither married, nor a civil partner and has no eligible children”.

(4) For paragraph (5) substitute—

“(5) Where the spouse or civil partner of a member who has bought added units of surviving spouse’s or surviving civil partner’s pension dies or is divorced or the civil partnership is dissolved before the member ceases to be a member of the scheme constituted under Part 1 of the 1993 Act, contributions to the JASSPS shall not be refunded.”.