
STATUTORY INSTRUMENTS

2023 No. 403

**The Judicial Pensions (Fee-Paid Judges)
(Amendment) Regulations 2023**

PART 2

Amendments relating to service before 7th April 2000

Amendment of regulation 8

9. In regulation 8—

(a) for paragraph (1) substitute—

“(1) A person who held judicial office on or after 7th April 2000 (“P”), is a member of the principal scheme if P held a fee-paid judicial office at any time before the first relevant date and—

- (a) P continued to hold judicial office on the second relevant date;
- (b) P ceased to hold judicial office before the second relevant date and condition A is met; or
- (c) P died before the second relevant date without having ceased to hold judicial office and condition B is met.”;

(b) in paragraph (4)—

(i) in the opening words—

(aa) omit “fee-paid”,

(bb) before “relevant date”, in both places, insert “second”,

(ii) in sub-paragraph (b), in the first place it occurs, for “that office”, substitute “the fee-paid judicial office”;

(c) omit paragraphs (5) and (6);

(d) for paragraph (7), substitute—

“(7) For the purposes of this regulation—

“the first relevant date” is—

(a) 1st April 2022 where P—

- (i) held a judicial office on 31st March 2012 and on 31st March 2015 and made an election under section 40 of the Public Service Pensions and Judicial Offices Act 2022(1), or
- (ii) was excluded from being an active member of the scheme established by the Judicial Pensions Regulations 2015 because regulation 14(4)(a)

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of those Regulations (protected member of existing scheme)⁽²⁾ applied to P, or

(b) 1st April 2015 in any other case;

“the second relevant date” is—

(a) 1st February 2013 where P only held a fee-paid judicial office—

(i) whose jurisdiction is exercised exclusively in relation to Northern Ireland, and

(ii) which is not one of the offices referred to in paragraph 11 of Schedule 2 to the Northern Ireland Act 1998⁽³⁾, or

(b) 2nd December 2012 in all other cases.”.

⁽²⁾ [S.I. 2015/182](#).

⁽³⁾ [1998 c. 47](#); paragraph 11 was amended by section 82(a) of and Schedule 13 to the Justice (Northern Ireland) Act 2002 (c. 26), by paragraph 33 of Schedule 11 to the Constitutional Reform Act 2005 (c. 4) and by [S.R. 2010 No. 52](#).