



Public Service Pensions and Judicial Offices Act 2022

CHAPTER 7

PUBLIC SERVICE PENSIONS AND JUDICIAL OFFICES ACT 2022

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 1

SCHEMES OTHER THAN JUDICIAL SCHEMES AND LOCAL GOVERNMENT SCHEMES

Remediable service

- 1 Meaning of “remediable service”

Retrospective provision about remediable service

- 2 Remediable service treated as pensionable under Chapter 1 legacy schemes
- 3 Benefits already paid
- 4 Meaning of “the relevant Chapter 1 legacy scheme” etc
- 5 Election for retrospective provision to apply to opted-out service

Pensioner and deceased members: immediate choice of new scheme benefits

- 6 Immediate choice to receive new scheme benefits
- 7 Elections by virtue of section 6: timing and procedure
- 8 Power to deem election by virtue of section 6 to have been made
- 9 Persons with remediable service in more than one Chapter 1 legacy scheme

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Active and deferred members: deferred choice of new scheme benefits

- 10 Deferred choice to receive new scheme benefits
- 11 Elections by virtue of section 10: timing and procedure
- 12 Power to deem election by virtue of section 10 to have been made
- 13 Persons with remediable service in more than one Chapter 1 legacy scheme

Pension benefits and contributions: corrections

- 14 Pension benefits and lump sum benefits: pensioner and deceased members
- 15 Pension contributions: pensioner and deceased members
- 16 Pension contributions: active and deferred members (immediate correction)
- 17 Pension contributions: active and deferred members (deferred correction)
- 18 Powers to reduce or waive liabilities

Powers to make provision in relation to special cases

- 19 Pension credit members
- 20 Voluntary contributions
- 21 Transfers
- 22 Further powers to make provision about special cases

Compensation

- 23 Power to pay compensation
- 24 Indirect compensation
- 25 Remedial arrangements to pay voluntary contributions to legacy schemes

Further provision about corrections, special cases and compensation

- 26 Interest and process
- 27 Treasury directions

Miscellaneous

- 28 Scheme rules that prohibit unauthorised payments
- 29 Remediable service statements
- 30 Section 61 of the Equality Act 2010 etc

Immediate detriment cases

- 31 Application of Chapter to immediate detriment cases
- 32 Whether an “immediate detriment remedy” has been obtained

Interpretation

- 33 Meaning of “Chapter 1 scheme” etc
- 34 Meaning of “new scheme benefits”
- 35 Meaning of “legacy scheme contributions” and “new scheme contributions”
- 36 Meaning of “opted-out service”
- 37 Scheme regulations

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

38 Interpretation of Chapter

CHAPTER 2

JUDICIAL SCHEMES

Remediable service

39 Meaning of “remediable service”

Options exercise

40 Legacy scheme elections

41 Partnership pension account: requirement to transfer and surrender rights

42 Legacy scheme elections: effect

43 Meaning of “the relevant judicial legacy salaried scheme”

44 2015 scheme elections

45 2015 scheme elections: effect

46 Person by whom election is to be made

Options exercise: further provision

47 Cases in which 2015 scheme election treated as made

48 Benefits for children where election made

49 Effect of elections on benefits previously paid or payable

50 Effect of elections on pension contributions previously paid or payable

Pension benefits and contributions: corrections

51 Pension benefits and lump sums benefits

52 Pension contributions

53 Effective pension age payments

54 Transitional protection allowance

55 Power to reduce benefits in lieu of paying liabilities owed to scheme

56 Powers to reduce or waive liabilities

Powers to make provision in relation to special cases

57 Pension credit members

58 Further powers to make provision about special cases

Compensation

59 Power to pay compensation

60 Remedial arrangements to pay voluntary contributions to judicial schemes

Further provision about corrections, special cases and compensation

61 Interest and process

62 Treasury directions

Miscellaneous

63 Scheme rules that prohibit unauthorised payments

64 Information statements

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 65 Power to delegate
- 66 Section 61 of the Equality Act 2010 etc

Immediate detriment cases

- 67 Application of Chapter to immediate detriment cases
- 68 Whether an “immediate detriment remedy” has been obtained

Interpretation

- 69 Meaning of “the election period”
- 70 Meaning of “a judicial scheme” etc
- 71 Meaning of “judicial office” etc
- 72 Meaning of “the relevant authority”
- 73 Meaning of “opted-out service” and “PPA opted-out service”
- 74 Scheme regulations
- 75 Interpretation of Chapter
- 76 Modifications of Chapter in relation to fee-paid judicial offices

CHAPTER 3

LOCAL GOVERNMENT SCHEMES

Remediable service

- 77 Meaning of “remediable service”

Power to pay final salary benefits

- 78 Power to pay final salary benefits
- 79 Section 78: transitional provision

Power to make provision in relation to special cases

- 80 Pension credit members
- 81 Further powers to make provision about special cases

Compensation

- 82 Power to pay compensation
- 83 Indirect compensation

Further provision about final salary benefits, special cases and compensation

- 84 Interest and process
- 85 Treasury directions

Interpretation

- 86 Meaning of “local government scheme” etc
- 87 Interpretation of Chapter

CHAPTER 4

GENERAL

Restriction of schemes from 31 March 2022

- 88 Restriction of existing schemes
- 89 Restriction of existing schemes: savings and transitional provision
- 90 Restriction of other schemes
- 91 Prohibition of new arrangements to pay voluntary contributions

Employer cost cap

- 92 Amendments relating to employer cost cap
- 93 Operation of employer cost cap in relation to 2016/17 valuation

Other amendments of PSPA 2013 and PSPA(NI) 2014

- 94 Amendments relating to scheme regulations
- 95 Amendments relating to the establishment or restriction of schemes
- 96 Amendments relating to the Secret Intelligence Service etc
- 97 Amendments relating to the judiciary
- 98 Amendments relating to non-scheme benefits
- 99 Amendments relating to pension schemes for members of the Senedd
- 100 Guidance to public service pension scheme managers on investment decisions

Miscellaneous

- 101 Power of Treasury to make scheme for compensation
- 102 Power of Department of Finance to make scheme for compensation
- 103 Power to make provision in relation to certain fee-paid judges
- 104 HMRC information-sharing and other functions relating to compensation etc
- 105 Section 91 of Pensions Act 1995 and section 356 of Armed Forces Act 2006
- 106 Minor amendment
- 107 Parliamentary procedure for judicial schemes: transitory provision
- 108 Power to make consequential provision

Interpretation of Part

- 109 Meaning of “member” etc
- 110 Interpretation of Part

PART 2

PENSIONS AND BANKING (SPECIAL PROVISIONS) ACT 2008 BODIES

New public pension schemes

- 111 Establishment of new public schemes and transfer of rights
- 112 New public schemes: further provision
- 113 Protection against adverse treatment: transfer of rights
- 114 Protection against adverse treatment: amendment of new public schemes
- 115 Transfer of assets and liabilities

Other liabilities to pay pensions

- 116 Transfer of other pensions and benefits

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Supplementary

- 117 Taxation
- 118 Information
- 119 Regulations
- 120 Interpretation

PART 3

JUDICIAL OFFICES

Judicial pay and conditions

- 121 Retirement date for holders of judicial offices etc
- 122 Allowances for judicial office holders

Sitting in retirement offices

- 123 Sitting in retirement offices
- 124 Appointment to sitting in retirement offices
- 125 Appointment to sitting in retirement offices: further provision
- 126 Discipline and removal from office
- 127 Power to add new offices

Consequential etc provision

- 128 Consequential etc provision

PART 4

GENERAL

- 129 Regulations and directions
- 130 Extent
- 131 Commencement
- 132 Short title

SCHEDULES

SCHEDULE 1 — Retirement date for holders of judicial offices etc

PART 1 — AMENDMENTS OF LEGISLATION

- 1 Pensions Appeal Tribunals Act 1943 (c. 39)
- 2 Agriculture Act 1947 (c. 48)
- 3 Lands Tribunal Act 1949 (c. 42)
- 4 Foreign Compensation Act 1950 (c. 12)
- 5 Courts-Martial (Appeals) Act 1951 (c. 46)
- 6 County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- 7 Judicial Pensions Act 1959 (c. 9)
- 8 Resident Magistrates' Pensions Act (Northern Ireland) 1960 (c.2 (N.I.))
- 9 Betting, Gaming and Lotteries Act 1963 (c. 2)
- 10 Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))
- 11 Courts Act 1971 (c. 23)
- 12 Misuse of Drugs Act 1971 (c. 38)
- 13 Industry Act 1975 (c. 68)
- 14 Rent Act 1977 (c. 42)

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- 15 Judicature (Northern Ireland) Act 1978 (c. 23)
- 16 Senior Courts Act 1981 (c. 54)
- 17 Public Passenger Vehicles Act 1981 (c. 14)
- 18 Mental Health Act 1983 (c. 20)
- 19 County Courts Act 1984 (c. 28)
- 20 Reserve Forces (Safeguard of Employment) Act 1985 (c. 17)
- 21 Transport Act 1985 (c. 67)
- 22 Copyright, Designs and Patents Act 1988 (c. 48)
- 23 Child Support Act 1991 (c. 48)
- 24 Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 25 Judicial Pensions and Retirement Act 1993 (c. 8)
- 26 Merchant Shipping Act 1995 (c. 21)
- 27 Reserve Forces Act 1996 (c. 14)
- 28 Employment Tribunals Act 1996 (c. 17)
- 29 Plant Varieties Act 1997 (c. 66)
- 30 Social Security Act 1998 (c. 14)
- 31 The Social Security (Northern Ireland) Order 1998 (S.I. 1998/1506 (N.I. 10))
- 32 The Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))
- 33 Courts Act 2003 (c. 39)
- 34 Education Act 2005 (c. 18)
- 35 Constitutional Reform Act 2005 (c. 4)
- 36 Tribunals, Courts and Enforcement Act 2007 (c. 15)
- 37 Charities Act (Northern Ireland) 2008 (c. 12 (N.I.))
- 38 Coroners and Justice Act 2009 (c. 25)
- 39 Welsh Language (Wales) Measure 2011 (2011 nawm 1)
- 40 Tribunals (Scotland) Act 2014 (asp 10)
- 41 Justice Act (Northern Ireland) 2015 (c. 9 (N.I.))
- 42 Victims' Payment Regulations 2020 (S.I. 2020/103)
- PART 2 — TRANSITIONAL PROVISION
- 43 General
- 44 Lay justices in England and Wales
- 45 Lay magistrates in Northern Ireland
- PART 3 — REPEAL OF SPENT PROVISIONS ETC
- 46 Omit paragraph 3(3) of Schedule 9B to the Rates (Northern...
- 47 (1) The Judicature (Northern Ireland) Act 1978 is amended as...
- 48 (1) The Judicial Pensions and Retirement Act 1993 is amended...
- 49 Omit paragraph 42 of Schedule 39 to the Education Act...
- 50 Omit paragraph 3(4) of Schedule 15 to the Immigration and...

SCHEDULE 2 — Allowances payable to judicial office holders

- 1 Compensation (Defence) Act 1939 (c. 75)
- 2 Lands Tribunal Act 1949 (c. 42)
- 3 Courts-Martial (Appeals) Act 1951 (c. 46)
- 4 Coroners Act (Northern Ireland) 1959 (c. 15 (N.I.))
- 5 County Courts Act (Northern Ireland) 1959 (c. 25 (N.I.))
- 6 Lands Tribunal and Compensation Act (Northern Ireland) 1964 (c. 29 (N.I.))
- 7 Courts-Martial (Appeals) Act 1968 (c. 20)
- 8 Administration of Justice Act 1973 (c. 15)
- 9 Senior Courts Act 1981 (c. 54)
- 10 County Courts Act 1984 (c. 28)

Changes to legislation: Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- 11 Transport Act 1985 (c. 67)
- 12 Social Security Administration (Northern Ireland) Act 1992 (c. 8)
- 13 Scottish Land Court Act 1993 (c. 45)
- 14 Merchant Shipping Act 1995 (c. 21)
- 15 Employment Tribunals Act 1996 (c. 17)
- 16 Education (Northern Ireland) Order 1996 (S.I. 1996/274 (N.I. 1))
- 17 Industrial Tribunals (Northern Ireland) Order 1996 (S.I. 1996/1921 (N.I. 18))
- 18 Deregulation (Model Appeal Provisions) Order (Northern Ireland) 1997 (S.R. (N.I.) 1997 No. 269)
- 19 Traffic Management (Northern Ireland) Order 2005 No. 1964 (N.I. 14)
- 20 Judiciary and Courts (Scotland) Act 2008 (asp 6)
- 21 Courts Reform (Scotland) Act 2014 (asp 18)

SCHEDULE 3 — Judicial offices

- PART 1 — LORD CHIEF JUSTICE AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
- PART 2 — SENIOR PRESIDENT OF TRIBUNALS AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
- PART 3 — LORD CHIEF JUSTICE OF NORTHERN IRELAND AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
- PART 4 — NORTHERN IRELAND JUDICIAL APPOINTMENTS COMMISSION AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
- PART 5 — PRESIDENT OF WELSH TRIBUNALS AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE
- PART 6 — LORD PRESIDENT OF THE COURT OF SESSION AS APPOINTING AUTHORITY FOR CORRESPONDING SITTING IN RETIREMENT OFFICE

SCHEDULE 4 — Consequential etc amendments in connection with Part 3

- PART 1 — AMENDMENTS OF PRIMARY LEGISLATION
 - 1 Courts-Martial Appeals Act 1951 (c. 46)
 - 2 Administration of Justice Act 1970 (c. 31)
 - 3 Courts Act 1971 (c. 23)
 - 4 Judicature (Northern Ireland) Act 1978 (c. 23)
 - 5 Senior Courts Act 1981 (c. 54)
 - 6 County Courts Act 1984 (c. 28)
 - 7 Matrimonial and Family Proceedings Act 1984 (c. 42)
 - 8 Judicial Pensions and Retirement Act 1993 (c. 8)
 - 9 Employment Tribunals Act 1996 (c. 17)
 - 10 Courts Act 2003 (c. 39)
 - 11 Constitutional Reform Act 2005 (c. 4)
- PART 2 — AMENDMENTS OF SECONDARY LEGISLATION
 - 12 Access to Justice Act 1999 (Destination of Appeals) Order 2016 (S.I. 2016/917)
- PART 3 — REPEAL OF SPENT PROVISIONS
 - 13 Judicial Pensions and Retirement Act 1993 (c. 8)
 - 14 Tribunals, Courts and Enforcement Act 2007 (c. 15)
 - 15 Crime and Courts Act 2013 (c. 22)

Changes to legislation:

Public Service Pensions and Judicial Offices Act 2022 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 4 para. 2(1) repealed by [2022 c. 7 Sch. 4 para. 2\(2\)](#) (This amendment comes into force when the repeal of 1970 c. 31, s. 10 by 2007 c. 15, Sch. 23 Pt. 6 comes into force)