



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 2

JUDICIAL SCHEMES

Options exercise

45 2015 scheme elections: effect

- (1) Subsection (2) applies where a 2015 scheme election is made in respect of a person.
- (2) The person's remediable service in any judicial office (whether salaried or fee-paid), to the extent that it is otherwise pensionable service under a judicial legacy scheme, is treated—
 - (a) as not being, and as never having been, pensionable service under that scheme, and
 - (b) as being, and as always having been, pensionable service under the relevant 2015 scheme.
- (3) In subsection (2) “the relevant 2015 scheme” means—
 - (a) in relation to service in a judicial office within section 71(1)(a) or (b), the Judicial Pensions Regulations 2015 (S.I. 2015/182);
 - (b) otherwise, the Judicial Pensions Regulations (Northern Ireland) 2015 (S.R. (N.I.) 2015 No. 76).
- (4) Subsection (2) has effect—

Status: This is the original version (as it was originally enacted).

- (a) for the purposes of determining which judicial scheme is (or at any time was) required to pay benefits to or in respect of a member,
 - (b) for the purposes of determining the amount of any benefits that are (or at any time were) payable under a judicial scheme to or in respect of a member,
 - (c) for the purposes of determining the judicial scheme to which a member is (or at any time was) required to pay pension contributions under a judicial scheme,
 - (d) for the purposes of determining the amount of any pension contributions that are (or at any time were) payable under judicial schemes by members, and
 - (e) subject to any provision of this Chapter to the contrary, for all other purposes.
- (5) Subsection (2) does not affect—
- (a) any arrangements under a judicial scheme under which a member pays contributions to the scheme on a voluntary basis so as to secure additional benefits, or the earlier payment of benefits, under the scheme, or
 - (b) any rights under a judicial scheme in respect of a transfer in to the scheme of an amount in respect of rights accrued under another pension scheme.