



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 2

JUDICIAL SCHEMES

Miscellaneous

63 Scheme rules that prohibit unauthorised payments

- (1) Subsection (2) applies where—
 - (a) a payment from a judicial scheme is permitted or required to be made under or by virtue of this Chapter,
 - (b) the payment, if made, would be an unauthorised payment, and
 - (c) a rule of the scheme prohibits the scheme from making unauthorised payments.
- (2) The payment may be made only if it falls within a description of payments specified for the purposes of this section in Treasury directions.
- (3) Subsection (4) applies where—
 - (a) in the course of taking the step mentioned in section 41(3)(a) or (6)(a) (requirement to transfer assets held in partnership pension account) a payment is made from a partnership pension account,
 - (b) the payment, if made, would be an unauthorised payment, and
 - (c) a rule of the scheme prohibits the scheme from making unauthorised payments.

Status: This is the original version (as it was originally enacted).

- (4) The payment may be made notwithstanding the rule mentioned in subsection (3)(c).
- (5) In this section “unauthorised payment” means a payment that is an unauthorised payment for the purposes of Part 4 of FA 2004 (see section 160(5) of that Act).