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## STATUTORY INSTRUMENTS

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# 2017 No. 522

## The Judicial Pensions (Fee-Paid Judges) Regulations 2017

### PART 11

#### TRANSFERS

##### CHAPTER 1

##### GENERAL

#### Interpretation

**70.**—(1) In this Part—

“authorised insurer” means—

(a) a person who has permission under Part 4A of the Financial Services and Markets Act 2000 <sup>F1</sup> to effect or carry out contracts of long-term insurance (within the meaning of article 3(1) of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001 <sup>F2</sup>), <sup>F3</sup> ...

(b) <sup>F3</sup> ...

“last day of reckonable service” has the meaning given in regulation 72;

“market level adjustment” has the meaning given in regulation 78;

“normal pension age” means the earliest age at which, if a person's qualifying judicial service had continued until retirement at that age, a member might have been entitled to receive a pension under the principal scheme, otherwise than by reason of meeting the ill-health certification condition;

“occupational pension scheme” has the meaning given by section 1 of the Pension Schemes Act 1993 <sup>F4</sup> or, in relation to Northern Ireland, section 1 of the Pension Schemes (Northern Ireland) Act 1993 <sup>F5</sup>;

“the option” has the meaning given by regulation 74(1);

“P” means a member;

“personal pension scheme” has the meaning given by section 1 of the Pension Schemes Act 1993 or, in relation to Northern Ireland, section 1 of Pension Schemes (Northern Ireland) Act 1993;

“relevant date”—

(a) when used in Chapter 2, has the meaning given by regulation 73;

(b) when used in Chapter 3, has the meaning given by regulation 83;

“relevant schemes” means the principal scheme, the FPJAYS and the JASAPS.

(2) In this Part, references to numbered Tables are to the Tables in Schedule 2 to the Judicial Pensions (Transfer of Accrued Benefits) Regulations 1995 <sup>F6</sup>.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Judicial Pensions (Fee-Paid Judges) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) The definition of “authorised insurer” in paragraph (1) must be read with—
- (a) section 22 of the Financial Services and Markets Act 2000;
  - (b) any relevant order under that section;
  - (c) Schedule 2 to that Act <sup>F7</sup>.

- F1** 2000 c.8. Part 4A was substituted for Part 4 by section 1 of the [Financial Services Act 2012 \(c.21\)](#).  
**F2** [S.I. 2001/544](#), to which there are amendments not relevant to these Regulations.  
**F3** Words in [reg. 70\(1\)](#) omitted (31.12.2020) by virtue of [The EEA Passport Rights \(Amendment, etc., and Transitional Provisions\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1149\)](#), [reg. 1\(3\)](#), **Sch. para. 90** (with [reg. 4](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)  
**F4** 1993 (c. 48). Section 1 was amended by section 239 of the [Pensions Act 2004 \(c.35\)](#); paragraph 23(1) of Schedule 20, and Part 3(2) of Schedule 27 to the [Finance Act 2007 \(c.11\)](#); [S.I. 1999/1820](#) and [S.I. 2007/3014](#).  
**F5** 1993 (c.49). Section 1 was amended by [S.I. 1999/3147 \(N.I.11\)](#); [S.R. 2000/133](#).  
**F6** [S.I. 1995/637](#). The tables in Schedule 12 to the Regulations were amended by [S.I. 2005/3325](#).  
**F7** [Schedule 2](#) was amended by paragraph 1 of Schedule 2 to the [Dormant Bank and Building Society Accounts Act 2008 \(c.31\)](#).

### Disapplication of other provisions about transfers

**71.** Chapter 1 of Part 4ZA of the Pension Schemes Act 1993 (transfer rights: general) <sup>F8</sup> and Chapter 1 of Part 4ZA of the Pension Schemes (Northern Ireland) Act 1993 (transfer rights: general) <sup>F9</sup> do not apply in relation to the relevant schemes.

- F8** [Part 4ZA](#) was inserted by paragraph 8 of Schedule 4 to the [Pension Schemes Act 2015 \(c.8\)](#).  
**F9** [Chapter 4](#) of Part 4 of the Pension Schemes (Northern Ireland) Act 1993 was renumbered as Chapter 1 of Part 4 ZA of that Act by paragraph 50 of Schedule 4 to the Pension Schemes Act 2015.

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Judicial Pensions (Fee-Paid Judges) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations.

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### Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 2A2B inserted by [S.I. 2023/403 reg. 12](#)
- Pt. 7A inserted by [S.I. 2023/403 reg. 31](#)
- Pt. 10A inserted by [S.I. 2023/403 reg. 43](#)
- Pt. 14A14B inserted by [S.I. 2023/403 Sch.](#)
- Sch. 1-3 substituted for Sch. by [S.I. 2023/403 reg. 66](#)
- Sch. 3 Table 3 word substituted by [S.I. 2023/766 Sch. para. 6](#)
- reg. 4(2)(ba) inserted by [S.I. 2023/403 reg. 5\(a\)\(ii\)](#)
- reg. 4(3A)(3B) inserted by [S.I. 2023/403 reg. 5\(c\)](#)
- reg. 4(4A) inserted by [S.I. 2023/403 reg. 5\(e\)](#)
- reg. 5(1)(b) words substituted by [S.I. 2023/403 reg. 6\(a\)](#)
- reg. 6(2)(aa) inserted by [S.I. 2023/403 reg. 7](#)
- reg. 7(2)(b) words substituted by [S.I. 2023/403 reg. 8\(a\)](#)
- reg. 7(3A) inserted by [S.I. 2023/403 reg. 8\(c\)](#)
- reg. 9(2A) inserted by [S.I. 2023/403 reg. 10\(a\)](#)
- reg. 10(1A) inserted by [S.I. 2023/403 reg. 11](#)
- reg. 11Z1 inserted by [S.I. 2023/403 reg. 13](#)
- reg. 13(5)(a) word substituted by [S.I. 2023/403 reg. 15\(c\)\(ii\)](#)
- reg. 18(3)(a) words inserted by [S.I. 2023/403 reg. 20\(b\)\(ii\)\(aa\)](#)
- reg. 18(3)(a) words inserted by [S.I. 2023/403 reg. 20\(b\)\(ii\)\(cc\)](#)
- reg. 18(3)(a) words substituted by [S.I. 2023/403 reg. 20\(b\)\(ii\)\(bb\)](#)
- reg. 22(4)(b) word substituted by [S.I. 2023/403 reg. 23\(b\)](#)
- reg. 28(2)(c)(d) inserted by [S.I. 2023/403 reg. 27](#)
- reg. 31(2A) inserted by [S.I. 2023/766 Sch. para. 3\(4\)](#)
- reg. 35(1) reg. 35 renumbered as reg. 35(1) by [S.I. 2023/403 reg. 28\(3\)\(a\)](#)
- reg. 35(1) words substituted by [S.I. 2023/403 reg. 28\(3\)\(b\)](#)
- reg. 35(2) inserted by [S.I. 2023/403 reg. 28\(3\)\(c\)](#)
- reg. 47(3)(a) substituted by [S.I. 2023/403 reg. 30\(a\)\(i\)](#)
- reg. 47(3)(b) words inserted by [S.I. 2023/403 reg. 30\(a\)\(ii\)](#)
- reg. 47(3)(d) words inserted by [S.I. 2023/403 reg. 30\(a\)\(iii\)](#)
- reg. 47(5) inserted by [S.I. 2023/403 reg. 30\(b\)](#)
- reg. 53A inserted by [S.I. 2023/403 reg. 33](#)
- reg. 54A inserted by [S.I. 2023/403 reg. 35](#)
- reg. 55A inserted by [S.I. 2023/403 reg. 37](#)
- reg. 58A inserted by [S.I. 2023/403 reg. 40](#)
- reg. 62(3ZA)(3ZB) inserted by [S.I. 2023/403 reg. 41\(c\)](#)
- reg. 64(1) reg. 64 renumbered as reg. 64(1) by [S.I. 2023/766 Sch. para. 3\(5\)\(a\)](#)
- reg. 64(2) inserted by [S.I. 2023/766 Sch. para. 3\(5\)\(b\)](#)
- reg. 84(4) inserted by [S.I. 2023/403 reg. 45\(b\)](#)
- reg. 103(1A)(1B) inserted by [S.I. 2023/403 reg. 46\(b\)](#)
- reg. 104A inserted by [S.I. 2023/766 Sch. para. 3\(6\)](#)
- reg. 107(3)(b) words inserted by [S.I. 2023/403 reg. 49\(a\)](#)
- reg. 107(3)(c) words inserted by [S.I. 2023/403 reg. 49\(b\)](#)
- reg. 108(1)(a) words inserted by [S.I. 2023/403 reg. 50\(a\)](#)
- reg. 111(4)(a)(i) words inserted by [S.I. 2023/403 reg. 53\(c\)](#)
- reg. 113(4A) inserted by [S.I. 2023/403 reg. 55\(b\)](#)
- reg. 116(a) words in reg. 116 renumbered as reg. 116(a) by [S.I. 2023/403 reg. 55\(b\)](#)
- reg. 116(a) words inserted by [S.I. 2023/403 reg. 56\(b\)\(iii\)](#)

- reg. 116(a) words omitted by [S.I. 2023/403](#) reg. 56(b)(i)
- reg. 116(a) words omitted by [S.I. 2023/403](#) reg. 56(b)(ii)
- reg. 116(b)(c) inserted by [S.I. 2023/403](#) reg. 56(c)
- reg. 117A inserted by [S.I. 2023/766](#) Sch. para. 3(7)
- reg. 119(2)(b) words inserted by [S.I. 2023/403](#) reg. 59
- reg. 123(2)(b) words inserted by [S.I. 2023/403](#) reg. 61(3)(d)(i)
- reg. 123(2)(b) words substituted by [S.I. 2023/403](#) reg. 61(3)(d)(ii)
- reg. 125(2)(a)(i) words inserted by [S.I. 2023/403](#) reg. 63(c)