
STATUTORY INSTRUMENTS

2022 No. 319

The Judicial Pensions Regulations 2022

PART 12

Supplementary

CHAPTER 4

General

Calculation of periods of membership and service

127.—(1) For the purposes of this scheme, periods of membership and service are to be expressed in the first instance in whole years, and days and fractions of a day, and the initial aggregation of periods that require to be aggregated is done in the first instance by reference to periods so expressed.

(2) If, when all periods of membership or service that require to be aggregated have been aggregated, there is any excess part day over the number of whole days, that excess is rounded up to a full day.

(3) Paragraphs (1) and (2) are subject to paragraph (4).

(4) If membership or service is referred to in these Regulations as membership or service in years—

- (a) the days referred to in paragraph (1); and
- (b) the full days referred to in paragraph (2),

are converted into years by dividing the number of days in excess of the period of whole years by 365, and using the result to 4 decimal places.

(5) If a period of membership or service is less than one year, this regulation applies as if the words “whole years, and” were omitted from paragraph (1) and the words “in excess of the period of whole years” were omitted from paragraph (4).

Commencement Information

II Reg. 127 in force at 1.4.2022, see [reg. 1\(4\)](#)

Determination of questions

128.—(1) Except as otherwise provided by these Regulations, any question arising under this scheme is to be determined by the scheme manager, whose decision on it is final.

(2) The scheme manager must, in consultation with the Judicial Pension Board, establish a procedure for the determination of disputes relating to members or other persons with an interest in the scheme.

(3) A procedure established under paragraph (2) must meet the requirements of section 50 (requirement for dispute resolution arrangements) of the PA 1995(1).

Commencement Information

I2 Reg. 128 in force at 1.4.2022, see [reg. 1\(4\)](#)

Evidence of entitlement

129.—(1) The scheme manager may require any person who is receiving a pension under this scheme to provide evidence to establish—

- (a) the person’s identity; and
- (b) the person’s continuing entitlement to payment of any amount.

(2) If the person does not provide the required evidence, the scheme manager may withhold the whole or any part of any benefits payable under this scheme in respect of the person.

Commencement Information

I3 Reg. 129 in force at 1.4.2022, see [reg. 1\(4\)](#)

Provision of benefit information statements to members

130.—(1) The scheme manager must provide benefit information statements to each active member of this scheme in accordance with—

- (a) section 14 (information about benefits) of the Act; and
- (b) directions given under that section (“Treasury directions”).

(2) The statement must contain the following information about the member’s benefits as at the date of the statement—

- (a) the amount of accrued pension specified in the each of the active member’s accounts as at that date;
- (b) the opening balance for that year and the index adjustment for that opening balance;
- (c) the amount of pension for that year as at that date; and
- (d) any other information required by Treasury directions.

Commencement Information

I4 Reg. 130 in force at 1.4.2022, see [reg. 1\(4\)](#)

Amendment to the Public Service Pensions Act 2013 (Judicial Offices) Order 2015

131.—(1) In article 3 of the Public Service Pensions Act 2013 (Judicial Offices) Order 2015(2) (“the Judicial Offices Order”), for “the Schedule” substitute “Schedule 1 or Schedule 2”.

(2) The Schedule to the Judicial Offices Order is amended as follows—

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- (1) [1995 \(c. 26\)](#); section 50 was substituted by the Pensions Act [2004 \(c. 35\)](#) section 273 and amended by the Pensions Act [2007 \(c. 22\)](#) section 16.
 - (2) [S.I. 2015/580](#). The Public Service Pensions Act 2013 (Judicial Offices) Order 2015 has been amended by [S.I. 2015/1483](#); [S.I. 2018/186](#); [S.I. 2018/130](#) and [S.I. 2021/36](#).

- (a) after the entry for “Chair of the Health Service Products (Pricing, Cost Control and Information) Appeals Tribunal holding office on or after 1st April 2021” insert the following entries—
- “Chair of the Police Appeals Tribunal”;
 - “Chair of the Plant Varieties and Seeds Tribunal”;
- (b) after the entry for “Master of the Rolls” insert the following entries—
- “Member of a panel constituted under Article 7(1) of the Social Security (Northern Ireland) Order 1998 who is appointed to serve as a member of that panel and is a barrister or solicitor”;
 - “Member of a panel of chairmen appointed under Article 82 of the Fair Employment and Treatment (Northern Ireland) Order 1998”;
 - “Member of a panel of chairmen appointed under regulation 4(1)(a) of the Industrial Tribunals (Constitution and Rules of Procedure) Regulations (Northern Ireland) 2005”;
- (c) after the entry for “Other member of the Upper Tribunal, where the office is held by a person who sits as a Chairman in the Lands Chamber and is a Member or Fellow of the Royal Institution of Chartered Surveyors holding office on or after 1st April 2021” insert the following entries—
- “Part-time Sheriff (Scotland)”;
 - “Part-time Stipendiary Magistrate (Scotland)”;
 - “Part-time Summary Sheriff (Scotland)”;
 - “President of appeals tribunals (within the meaning of Chapter 1 of Part 2 of the Social Security (Northern Ireland) Order 1998) appointed under Article 6 of that Order”;
- (d) after the entry “President of the Welsh Tribunals holding office on or after 1st April 2021” insert the following entries—
- “President or other member of the Lands Tribunal where that office is held on a salaried basis”;
 - “President or Vice-President of the Industrial Tribunals and Fair Employment Tribunal appointed under Article 82 of the Fair Employment and Treatment (Northern Ireland) Order 1998”;
- (e) for the entry for “President or Chairman of the Special Educational Needs Tribunal for Wales” substitute—
- “President or member of the legal chair panel of the Education Tribunal for Wales”;
- (f) after the entry for “Temporary High Court Judge (Northern Ireland)” insert—
- “Temporary Judge (Scotland)”.
- (3) The existing Schedule to the Judicial Offices Order is renamed “Schedule 1”.
- (4) After Schedule 1 to the Judicial Offices Order, as so renamed, insert the Schedule set out in Schedule 2 to these Regulations.

Commencement Information

- I5** Reg. 131(1)(3)(4) in force at 1.10.2022 by virtue of reg. 1(3)
- I6** Reg. 131(2) in force at 1.4.2022, see **reg. 1(4)**

Information to be provided by employers

132. An employer of a member of this scheme must, by such date as the scheme manager may specify, provide the scheme manager with such information as the scheme manager may request—

- (a) in connection with the scheme manager’s or scheme administrator’s functions in relation to this scheme; or
- (b) to enable the scheme manager or Lord Chancellor to fulfil any obligations on the scheme manager or Lord Chancellor set out in or under legislation.

Commencement Information

I7 Reg. 132 in force at 1.4.2022 by virtue of reg. 1(4)

Financial provision

133. Any pension or lump sum payable under this scheme to or in respect of a person who has held an office specified in Part 1 of Schedule 1 to the Judicial Pensions and Retirement Act 1993(3) is to be charged on, and paid out of, the Consolidated Fund.

Commencement Information

I8 Reg. 133 in force at 1.4.2022, see [reg. 1\(4\)](#)

Transitional provisions

134. Schedule 1 has effect.

Commencement Information

I9 Reg. 134 in force at 1.4.2022, see [reg. 1\(4\)](#)

Sitting in retirement offices

135. Schedule 2 has effect.

Commencement Information

I10 [Reg. 135](#) in force at 1.10.2022 by virtue of reg. 1(3)

Modifying provisions and amendments

136. Schedule 3 has effect.

Commencement Information

I11 Reg. 136 in force for specified purposes at 18.3.2022 by virtue of reg. 1(2)

Changes to legislation: *There are currently no known outstanding effects for the The Judicial Pensions Regulations 2022, CHAPTER 4. (See end of Document for details)*

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