
STATUTORY INSTRUMENTS

2022 No. 319

The Judicial Pensions Regulations 2022

PART 5

Pension accounts

CHAPTER 6

Full retirement account

Establishment of full retirement account

38.—(1) This regulation applies in relation to a continuous period of pensionable service under this scheme.

(2) When an active member of this scheme becomes entitled to the immediate payment of a full retirement pension or an ill-health pension in relation to a continuous period of pensionable service under this scheme, the scheme manager must—

- (a) close the active member’s account (or accounts, as the case may be) for that continuous period of pensionable service; and
- (b) establish an account (or accounts, as the case may be) for the pensioner member for that period of service.

(3) When an active member of this scheme exercises the partial retirement option in respect of the whole of the member’s accrued pensions in one of their offices in relation to a continuous period of service and becomes entitled to the immediate payment of a full retirement pension in respect of the office or offices in which they are taking partial retirement, the scheme manager must—

- (a) close the active member’s account (or accounts, as the case may be) for the period of earlier service;
- (b) establish an account (or accounts, as the case may be) for the pensioner member for that period of earlier service; and
- (c) establish a new active member’s account (or accounts, as the case may be) under Chapter 4 (active member’s account) for the member’s continuing service as if the first day of pensionable service is the day after the option date.

(4) For the purpose of these Regulations, an account established for a member under paragraph (2) (b) or (3)(b) is called a full retirement account.

(5) In this regulation—

“continuing service” means pensionable service that continues in accordance with regulation 49(2) (exercise of partial retirement option) from the option date;

“option date” means the date on which the partial retirement option is exercised and the member becomes entitled to the immediate payment of a full retirement pension; and

“period of earlier service” means the continuous period of pensionable service ending on the option date.

Commencement Information

I1 Reg. 38 in force at 1.4.2022, see [reg. 1\(4\)](#)

Amount of full retirement pension

39.—(1) A full retirement account under regulation [38\(4\)](#) must specify the amount of full retirement pension.

- (2) The amount of full retirement pension is the sum of—
- (a) the amount of the accrued standard earned pension calculated under regulation [24](#) (“accrued amount”); ^{F1} ...
 - (b) the assumed age addition (if any) for the accrued amount [^{F2}; and
 - (c) the retirement index adjustment for the accrued amount].
- (3) The full retirement account must specify—
- (a) the early payment reduction (if any);
 - (b) the commutation amount (if any); and
 - (c) the total allocation amount (if any).

Textual Amendments

- F1** Word in [reg. 39\(2\)](#) omitted (with effect from 1.4.2022) by virtue of [The Judicial Pensions \(Remediable Service etc.\) Regulations 2023 \(S.I. 2023/766\)](#), [reg. 1\(b\)](#), [Sch. para. 8\(1\)\(4\)\(a\)](#)
- F2** [Reg. 39\(2\)\(c\)](#) and word inserted (with effect from 1.4.2022) by [The Judicial Pensions \(Remediable Service etc.\) Regulations 2023 \(S.I. 2023/766\)](#), [reg. 1\(b\)](#), [Sch. para. 8\(1\)\(4\)\(b\)](#)

Commencement Information

I2 Reg. 39 in force at 1.4.2022, see [reg. 1\(4\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Judicial Pensions Regulations 2022, CHAPTER 6.