
EXPLANATORY NOTE

(This note is not part of the Regulations)

Part 2 of these Regulations amends the Judicial Pensions (Fee-Paid Judges) Regulations 2017 (“the 2017 Regulations”) to allow fee-paid service prior to 7th April 2000 to count as reckonable service for the pension scheme constituted under those Regulations. Regulation 12 inserts two new Parts into the 2017 Regulations to provide for eligible fee-paid judicial office holders to have pension benefits calculated on a basis that mirrors the pension provisions under the Judicial Pensions Act 1981 that were available to salaried judges. Other provisions in Part 2 make consequential amendments including provision for the purchase of additional benefits by members of the scheme constituted under the 2017 Regulations.

Regulation 43 introduces a right to commutation of small pensions under the 2017 Regulations.

Regulation 66 replaces the Schedule to the 2017 Regulations, including insertion of a new Schedule 3 which consolidates the contributions rates which have been applicable for all periods of operation of the pension scheme under those Regulations.

Part 3 of these Regulations makes provision for entitlement to benefits arising from the amendments made by Part 2 before these Regulations have effect.

Part 4 of these Regulations deems persons who retired from judicial offices before 1st April 2017 and who were treated as if they were entitled to partial retirement under regulation 27 of the 2017 Regulations, as being so entitled. Consequently, pensions paid to such persons are not considered to have been overpaid or liable to recovery action.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.