

---

STATUTORY INSTRUMENTS

---

**2023 No. 766**

**PUBLIC SERVICE PENSIONS**

The Judicial Pensions (Remediable  
Service etc.) Regulations 2023

Made - - - - 4th July 2023  
Coming into force in accordance with  
regulation 1(b)

THE JUDICIAL PENSIONS (REMEDIABLE  
SERVICE ETC.) REGULATIONS 2023

PART 1

Preliminary

1. Citation, commencement and extent
2. Interpretation
3. Scheme manager
4. Delegation
5. Right of appeal

PART 2

Provision about special cases where a member has remediable service

CHAPTER 1

Application of Part

6. Application of Part

CHAPTER 2

Member options

7. Compensation for special payments to buy out early payment reduction
8. Compensation for payments for added pension
9. Transfers out of the 2015 scheme

*Status: This is the original version (as it was originally made).*

### CHAPTER 3

#### Partial retirement

10. Partial retirement notice
11. Corrections for pension benefits and lump sum benefits on partial retirement

### CHAPTER 4

#### Annual allowance tax charges

12. Payment of annual allowance tax charges and provision of information

#### PART 3

Provision where an immediate detriment remedy has been obtained

### CHAPTER 1

#### Application and Interpretation

13. Application of Part
14. Interpretation of Part

### CHAPTER 2

#### Information statements

15. Information statements

### CHAPTER 3

Partnership pension account where an immediate detriment remedy has been obtained

16. Partnership pension account: requirement to transfer and surrender rights

### CHAPTER 4

Benefits for children where an immediate detriment remedy has been obtained

17. Benefits for children

### CHAPTER 5

Partial retirement where an immediate detriment remedy has been obtained

18. Partial retirement notice

## CHAPTER 6

### Benefits and contributions previously paid or payable

19. Effect of immediate detriment remedy on benefits previously paid or payable
20. Effect of immediate detriment remedy on pension contributions previously paid or payable

## CHAPTER 7

### Corrections for benefits and contributions where an immediate detriment remedy has been obtained

21. Pension benefits and lump sum benefits
22. Pension contributions

## CHAPTER 8

### Compensation for voluntary payments where an immediate detriment remedy has been obtained

23. Compensation for special payments to buy out early payment reduction
24. Compensation for payments for added pension
25. Compensation for effective pension age payments

## CHAPTER 9

### Transitional protection allowance where an immediate detriment remedy has been obtained

26. Transitional protection allowance

## CHAPTER 10

### Compensation for compensatable losses where an immediate detriment remedy has been obtained

27. Power to pay compensation in respect of compensatable losses

## CHAPTER 11

### Unauthorised payments where an immediate detriment remedy has been obtained

28. Scheme rules that prohibit unauthorised payments

## PART 4

### Provision in relation to certain fee-paid judges

## CHAPTER 1

### Application and Interpretation

29. Application of Part
30. Interpretation of Part

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

## CHAPTER 2

### Information statements

31. Information statements

## CHAPTER 3

### Partnership pension account where a person has relevant service

32. Partnership pension account: requirement to transfer and surrender rights

## CHAPTER 4

### Benefits for children

33. Benefits for children

## CHAPTER 5

### Partial retirement

34. Partial retirement notice

## CHAPTER 6

### Benefits and contributions previously paid or payable

35. Benefits previously paid or payable
36. Pension contributions previously paid or payable

## CHAPTER 7

### Corrections for pension benefits and contributions

37. Pension benefits and lump sum benefits
38. Pension contributions

## CHAPTER 8

### Compensation for voluntary payments

39. Compensation for special payments to buy out early payment reduction
40. Compensation for payments for added pension
41. Compensation for effective pension age payments
42. Transfers out of the 2015 scheme

## CHAPTER 9

### Transitional protection allowance

43. Transitional protection allowance

## CHAPTER 10

### Compensation for compensatable losses

44. Power to pay compensation in respect of compensatable losses

## CHAPTER 11

### Unauthorised payments

45. Scheme rules that prohibit unauthorised payments

### PART 5

### Pension Credit Members

## CHAPTER 1

### Preliminary

46. Application of Part
47. Interpretation of Part

## CHAPTER 2

### Provision where all remediable or relevant service was in the 2015 scheme

48. Application of Chapter
49. Adjustments for pension credit members
50. Adjustments for pension debit members where a legacy scheme election is made

## CHAPTER 3

### Provision where all remediable service subject to a relevant pension sharing order was in a judicial legacy scheme

51. Application of Chapter
52. Adjustments for pension credit members
53. Adjustments for pension debit members where a 2015 scheme election is made

## CHAPTER 4

### Provision where the relevant pension sharing order is in respect of mixed service

54. Application of Chapter
55. Interpretation of Chapter
56. Adjustments for pension credit members where there is mixed service
57. Adjustments for pension debit members

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

## CHAPTER 5

### Correction of pension benefits and lump sum benefits

- 58. Correction of pension benefits and lump sum benefits where underpayment
- 59. Correction of pension benefits and lump sum benefits where overpayment

## PART 6

### Liabilities and amounts owed

## CHAPTER 1

### Interest

- 60. Interest

## CHAPTER 2

### Reduction or waiver of liabilities owed to a judicial scheme

- 61. Application of Chapter
- 62. Reduction of liability to pay pension contributions by tax relief amounts
- 63. Reduction or waiver of liability to repay overpaid pension benefits

## CHAPTER 3

### Netting off

- 64. Netting off

## CHAPTER 4

### Amounts owed to a judicial scheme or employer or to a person

- 65. Application
- 66. Amounts owed to a judicial scheme
- 67. Amounts owed to a person's employer
- 68. Amounts owed to a person

## PART 7

### Miscellaneous amendments

- 69. Miscellaneous amendments  
Signature

---

## SCHEDULE — Miscellaneous amendments

### PART 1 — Amendments by virtue of, and in consequence of, PSPJOA 2022

- 1. Amendment of the Judicial Pensions Regulations 2015
- 2. Amendment of the Judicial Pensions (Additional Voluntary Contributions) Regulations 2017
- 3. Amendment of the Judicial Pensions (Fee-Paid Judges) Regulations 2017

4. Amendment of the Judicial Pensions Regulations 2022  
PART 2 — Amendments for other purposes
5. Amendment of the Judicial Pensions (Contributions) Regulations 1998
6. Amendment of the Judicial Pensions (Fee-Paid Judges) Regulations 2017
7. Amendment of the Judicial Pensions (Fee-Paid Judges) (Amendment) Regulations 2021
8. Amendment of the Judicial Pensions Regulations 2022

Explanatory Note