



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 2

JUDICIAL SCHEMES

Further provision about corrections, special cases and compensation

61 Interest and process

- (1) Scheme regulations for a judicial scheme may make provision—
 - (a) under which interest is required to be calculated and paid on relevant amounts;
 - (b) about the process by which relevant amounts (and any interest on them) are to be paid.
- (2) Scheme regulations made by virtue of subsection (1)(b) may, in particular, include provision—
 - (a) about when relevant amounts (and any interest on them) are to be paid (including provision under which they are paid in instalments);
 - (b) under which relevant amounts (and any interest on them) owed by the scheme to a person may be paid only on the making of an application;
 - (c) for the netting off of relevant amounts (and any interest on them) owed to a person by the scheme against relevant amounts (and any interest on them) owed by the person to the scheme;
 - (d) conferring rights of appeal against decisions taken under the regulations.

- (3) In this section “relevant amounts” mean any amounts that are payable under or by virtue of this Chapter—
- (a) by a person to the scheme or to an employer in relation to the scheme, or
 - (b) by the scheme to a person.

62 Treasury directions

- (1) The powers mentioned in subsection (2) must be exercised in accordance with Treasury directions.
- (2) The powers are—
- (a) the power to make scheme regulations by virtue of section 55 (power to reduce benefits) and any powers exercisable by virtue of such regulations;
 - (b) the powers to make scheme regulations by virtue of section 56 (powers to reduce or waive liabilities) and any powers exercisable by virtue of such regulations;
 - (c) the power to make scheme regulations by virtue of section 57 (pension credit members) and any powers exercisable by virtue of such regulations;
 - (d) the power to make scheme regulations by virtue of section 58 (further powers to make provision about special cases) and any powers exercisable by virtue of such regulations;
 - (e) the power of the scheme manager under section 59(1) (power to pay compensation);
 - (f) the power to make scheme regulations by virtue of section 59(2) (power to require employer to reimburse compensation paid by scheme manager) and any powers exercisable by virtue of such regulations;
 - (g) the power to make scheme regulations by virtue of section 60 (remedial arrangements to pay voluntary contributions to judicial schemes) and any powers exercisable by virtue of such regulations;
 - (h) the power to make scheme regulations by virtue of section 61 (interest and process) and any powers exercisable by virtue of such regulations.
- (3) Treasury directions under this section may provide for amounts that are to be paid by or to a scheme in relation to a member, or any reduction or waiver of a liability to pay such amounts, to be determined—
- (a) taking into account the particular circumstances of the member and (if different) the person to whom or by whom the amount is to be paid or the liability is owed, or
 - (b) without taking into account any or all of the particular circumstances of that person or those persons.
- (4) Treasury directions under this section that relate to the calculation and payment of interest, and variations and revocations of such directions, may only be made after consultation with the Government Actuary.
- (5) For the definition of “Treasury directions”, see section 75.