



Public Service Pensions and Judicial Offices Act 2022

2022 CHAPTER 7

PART 1 **U.K.**

PUBLIC SERVICE PENSION SCHEMES

CHAPTER 2 **U.K.**

JUDICIAL SCHEMES

Options exercise: further provision

50 Effect of elections on pension contributions previously paid or payable **U.K.**

- (1) Subsection (2) applies where a member (“M”) of a judicial 2015 scheme has paid any pension contributions (“the paid contributions”) under the scheme which—
 - (a) are calculated by reference to M’s remediable service in a salaried judicial office, and
 - (b) as a result of a legacy scheme election made in respect of M, M was not required to pay to the scheme.
- (2) The paid contributions are to be treated for all purposes—
 - (a) as not having been paid by M to the judicial 2015 scheme, but
 - (b) as having been paid by M instead to the relevant judicial legacy salaried scheme.
- (3) Subsection (4) applies where a member (“M”) of a judicial 2015 scheme has paid any pension contributions (“the paid contributions”) under the scheme which—
 - (a) are calculated by reference to M’s remediable service in a fee-paid judicial office, and

Changes to legislation: There are currently no known outstanding effects for the Public Service Pensions and Judicial Offices Act 2022, Section 50. (See end of Document for details)

- (b) as a result of a legacy scheme election made in respect of M, M was not required to pay to the scheme.
- (4) The paid contributions are to be treated for all purposes—
 - (a) as not having been paid by M to the judicial 2015 scheme, but
 - (b) as having been paid by M instead to the judicial legacy fee-paid scheme.
- (5) Subsection (6) applies where a member (“M”) of a judicial legacy scheme has paid any pension contributions (“the paid contributions”) under the scheme which—
 - (a) are calculated by reference to M’s remediable service in a judicial office, and
 - (b) as a result of a 2015 scheme election made in respect of M, M was not required to pay to the scheme.
- (6) The paid contributions are to be treated for all purposes—
 - (a) as not having been paid by M to the judicial legacy scheme, but
 - (b) as having been paid by M instead to the relevant 2015 scheme.
- (7) In subsection (6) “the relevant 2015 scheme” means—
 - (a) in relation to service in a judicial office within section 71(1)(a) or (b), the Judicial Pensions Regulations 2015 (S.I. 2015/182);
 - (b) otherwise, the Judicial Pensions Regulations (Northern Ireland) 2015 (S.R. (N.I.) 2015 No. 76).
- (8) Subsection (9) applies where, as a result of a legacy scheme election or 2015 scheme election (and after taking into account the effect of subsections (2), (4) and (6))—
 - (a) a judicial scheme owes a person an amount in respect of pension contributions which are calculated by reference to a member’s remediable service in a judicial office, or
 - (b) a person owes a judicial scheme an amount in respect of such contributions.
- (9) The liability is to be discharged only in accordance with section 52 (corrections for pension contributions).

Modifications etc. (not altering text)

- C1** Ss. 40-66 excluded (5.7.2023) by [The Judicial Pensions \(Remediable Service etc.\) Regulations 2023 \(S.I. 2023/766\)](#), regs. 1(b), **9(2)**
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Commencement Information

- I1** S. 50 in force at Royal Assent for specified purposes, see [s. 131\(1\)](#)
- I2** S. 50 in force at 4.7.2023 in so far as not already in force by [S.I. 2023/746](#), **reg. 2(a)**

Changes to legislation:

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